

**Opinion No. 21-2959**

May 10, 1921

**BY:** HARRY S. BOWMAN, Attorney General

**TO:** Honorable Thomas P. Gable, State Game and Fish Warden, Capitol Building.

**Hunting Licenses for Aliens Who Have Declared Their Intentions of Becoming Citizens.**

**OPINION**

{\*54} I have before me letter from Mr. Charles Veltri of Koehler, New Mexico, asking if a foreign born citizen who has declared his intention of becoming an American citizen is entitled to take out a hunting license in this State.

Section 1 of the Game and Fish Act passed by the recent session of the legislature provides that:

"It shall be unlawful for any unnaturalized foreign born resident of New Mexico or adjoining states to hunt for, capture, kill or wound any wild birds or game animals within this State."

It further prohibits such persons from using or having in their possession any shot gun or rifle of any kind.

The word "unnaturalized" in this section means a person who has not become an American citizen through the channels of naturalization provided for by law. Such naturalization would require a receipt by such person of his final naturalization papers and, therefore, a person who has only declared his intention of becoming a citizen of the United States is classed as an "unnaturalized, foreign born resident of the state," and would not be entitled to the privilege of hunting and fishing as prescribed for the citizens of the United States and of New Mexico.

I return herewith the letter above mentioned.