

COMMISSION MEETING AGENDA BRIEFING

Meeting Date: April 28, 2023

Agenda Number: 8B

Presenter: Tim Cimbal

Corroborator:

Agenda Title: Consent Agenda - Revocations

1. Summary of Agenda Item

The Department will notify the Commission of the revocations or suspensions carried out pursuant to the Parental Responsibility Act, those who have failed to pay a penalty assessment citation within 30 days, those who failed to appear in court on a wildlife citation, individuals who have pending civil assessments and the Interstate Wildlife Violator Compact.

- 399 individuals certified by the Human Services Department as being out of compliance with the Parental Responsibility Act [40-5A-1 NMSA 1978] were suspended until in compliance.
- 41 individuals who failed to pay a penalty assessment citation within 30 days of the violation and were suspended until in compliance [19.31.2.24 NMAC].
- 2 individuals who were assessed a civil judgment and will be suspended until in compliance [19.31.2.24 NMAC].
- 26 individuals who were reciprocally revoked in NM after being revoked by an IWVC member state [11-16-1 NMSA 1978 and 19.31.2.26 NMAC]. The violations they were revoked for, if committed in NM, would result in 20 or more violation points.

The Department will present the individuals that meet established criteria for the revocation or suspension of their hunting, fishing, trapping, guiding and outfitting privileges or other privileges or authorities granted by an agreement, license or permit issued by the Department.

- **Group 1** - 10 individuals who accrued 20 or more violation points in a 3-year period, were sent a Notice of Contemplated Action, and did not request a hearing.

2. Background Information

Sections 17-1-14 and 17-3-34 NMSA 1978 authorize the Commission to revoke the hunting, fishing and trapping license privileges and the Outfitting and Guiding registration privileges of individuals for violations of Chapter 17 and Commission rules. Section 30-14-1 NMSA 1978 requires the Commission to revoke the privileges of individuals who commit Criminal Trespass while hunting, fishing, or trapping for a minimum of 3 years.

Under the Parental Responsibility Act (40-5A-1 NMSA 1978), the Commission is required to suspend the license privileges of obligors not in compliance with a court order for child support.

Commission Rule 19.31.2 NMAC describes the procedures to administer all revocations and suspensions.

3. Strategic Plan References and Possible Impacts of Agenda Item

Field Operations P716 Objective 1: That through 2023, hunting, trapping and fishing opportunities and off-highway vehicle recreation are maintained through public compliance with laws and rules.

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

N/A

5. Description and Summary of Public Involvement Process and Results

N/A

6. Suggested Motions

The Department respectfully suggests the following motion, unless Commission discretion indicates a different course of action:

“I move to accept the revocation recommendations as submitted by the Department”.