

## COMMISSION MEETING AGENDA BRIEFING

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Meeting Date: September 18, 2019      Agenda Number: 5 – Consent Agenda

Presenter: Robert Griego      Corroborator:

Agenda Title: Revocations

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### 1. Summary of Agenda Item

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

- 108 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.
- 37 individuals who were revoked in the Interstate Wildlife Violators Compact by member states, were sent Notices of Contemplated Action, and did not request a hearing.
- 16 individuals who failed to appear in court on wildlife citations.

The Department will present 3 groups of 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** - 3 individuals who accrued 20 or more violation points in a 3 year period, were sent Notices of Contemplated Action, and did not request a hearing. The Department recommends revoking these individuals as presented.

**Group 2** - 1 individual who accrued 20 or more violation points in a 3 year period, was sent a Notice of Contemplated Action, requested a hearing, and filed an exception. The Department recommends revoking this individual as presented.

**Group 3** - 1 individual who accrued 20 or more violation points in a 3 year period, was sent a Notice of Contemplated Action, requested a hearing, and did not file an exception. The Department recommends revoking this individual as presented.

### 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 motions, unless Commission discretion indicates a different course of action:

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