

Proposals for Guide and Outfitter
Registration Rule
(19.30.8 NMAC)

Agenda Item #9
August 25, 2011

Draft Rule

- Added definitions for hunter-client, New Mexico outfitter and special drawing pool.
- Created a subsection “B” relating to the qualification of a New Mexico Outfitter for purposes of participating in the special hunt drawings.
- Requiring a contract between an outfitter and client prior to the draw.
- Guide must accompany hunter 2 days in the field – required on contract.
- Successfully submit all forms by Feb 15 (\$100/late fee until Mar 15).

Draft Rule Cont.

- Audit requirement for additional documents.
- Changes to outfitter and guide misconduct.
- Added prohibition for guide to book or take clients without being contracted or employed by outfitter and a prohibition for anyone to guide or outfit (except landowner or their agent) without receiving a valid registration number from Department.
- Develop a form for NM Outfitter qualifications.

NM Outfitter Form



MANDATORY CHECKLIST FOR NEW MEXICO OUTFITTER QUALIFICATION



Important Time Sensitive Information - Deadline February 15 prior to the hunting season

All new and renewing applicants must apply by February 15 to be eligible to participate in the 10% pool of resident/nonresident hunter applicants that require a person to be guided by a New Mexico outfitter for the next hunting season. New and renewal applications received after February 15 but before the close of business on March 15 will be eligible to have a hunter-client in special draw hunts. An applicant for a New Mexico outfitter who renews after February 15 will be subject to an administrative fee of \$100.00, in addition to the normal application fees. **New Mexico Outfitter Ineligibility:** An applicant for a New Mexico outfitter that fails to successfully complete the Department's process by March 15 will be ineligible to have a hunter-client use their registration number for the guided portion of the special drawing pool established from 17-3-16 NMSA, 1978.

Please verify that you qualify as a New Mexico Outfitter as per the requirements and restrictions established in 17-3-16, 17-2A-1 NMSA 1978 and 19.30.8 NMAC.

I _____, verify that I have the following documents on file.
(Print Full Name)

- _____ (Initial if applicable) A current and valid New Mexico state, county or municipal business registration and a valid outfitter license issued by the department of game and fish authorizing you to carry out an outfitting business under the laws of this state;
- _____ (Initial if applicable) Receipts or other documentation for property taxes or rent on real property in New Mexico, gross receipts taxes for at least one other tax administered by the New Mexico Taxation and revenue department in three years immediately preceding the submission of an affidavit to the department of game and fish; the majority of which is owned by a person who resides in New Mexico during the three-year period immediately preceding the submission of this form;
- _____ (Initial if applicable) Employment records that demonstrate at least eighty percent (80%) of the total personnel of the business are New Mexico residents;
- _____ (Initial if applicable) Receipts or other documentation for leased property for ten years or purchased property greater than fifty thousand dollars (\$50,000) in value in New Mexico;
- _____ (Initial if applicable) A contract or legal document that verifies that if your business changed its name from that of a previously certified business, the business is identical in every way to the previously certified business that meets all criteria;
- _____ (Initial if applicable) Federal or state land use permits to operate as a New Mexico outfitter as required on public lands prior to the hunt; and
- _____ (Initial if applicable) All contracts for special draw hunts will require that my hunting guide service will ensure that a hunter-client will be accompanied at least two days in the area where the license is valid.

(Note: Documentation may be requested at any time by the Department for verification that you meet these requirements)

AFFIDAVIT:

I attest to the accuracy to the information and declare that I am qualified to be a New Mexico Outfitter as per 17-3-16 NMSA 1978 and 19.30.8 NMAC. I hereby certify that all statements are true and correct.

Date

Signature of Outfitter Applicant (no substitution or designee)

Need – Hunter-Clients For Spec Draw

- Create a check list form
- Outfitters' can review and verify compliance
- Minimize paperwork
- Audit if Concerns or Complaints
- Out of compliance = Code of Conduct Violation
- Subject Outfitter to Pt. Assessment (Revoc.)

Public Input

- Cont. seek public comment
- Cont. discussions with outfitters
- Draft of rule - NMDGF website July 26, 2011
- Finalize Nov 3, 2011 (Farmington Commission Meeting)

- Concerns or Questions?

