

Proposed Amendment to License Donation Rule

Amending Hunting and
Fishing License Application
19.31.3 NMAC



State Law

17-3-7 G. (3) NMSA 1978 authorizes the Director to transfer a hunting license to a nonprofit organization approved by the State Game Commission

- Request to donate license must be received in writing
- Appropriate license fees must be paid, if applicable
- No refunds offered for donated licenses



Current Rule

NMAC 19.31.3.11 F. currently restricts hunting license donation transfers to youths age 17 or younger who are qualified through a Commission-approved nonprofit organization

Current approved nonprofit organizations:



- **Donald R. Kemp Youth Hunting Club**
 - Las Cruces



- **Sportsmen for Fish and Wildlife**
 - Farmington



Transfers to Eligible Recipients

Under current rule, the Department has only been able to match approximately 50% of donation requests with eligible youth hunters.

License Year	Total Donations	To DRK	To SfW	Matched
2015	35	33	2	17
2016	46	20	26	23
2017	37	20	17	37
pending transfer in 2017	21	9	12	???
TOTAL	139	82	57	77



Summary of Proposed Changes to 19.31.3

Expand the definition of eligible recipients for donated hunting licenses through Commission-approved nonprofit organizations to include resident veterans and “first responders,” and amend language describing the requirements for nonprofit organizations to be approved by the Commission to reflect this change.





Proposed Amendment to NMAC 19.31.3.11

F. Donation of permits or licenses: Upon written request from a licensee or their official representative, the director may grant the donation of a hunting license for transfer to a youth 17 years of age or younger, a New Mexico resident veteran of the United States military as approved by the New Mexico department of veterans' services, or a "first responder" who is a resident of the State of New Mexico as defined by 12-10D-2(B) NMSA 1978. who has been qualified through an approved nonprofit organization that promotes youth hunting, fishing and trapping activities. The donor of the license shall not be eligible for a refund of license or application fees. When a transfer of a license results in a higher license fee due to differences between the original licensee and the new licensee (age, residency, etc.), the difference shall be paid prior to issuance of a license or permit. The state game commission must approve any nonprofit organizations prior to their participation in receiving, identifying or submitting recipients for donated licenses or permits. In order to be an approved nonprofit organization, the organization must demonstrate to the state game commission their history and ability to promote hunting, fishing, and trapping activities. ~~However, a~~ A once-in-a-lifetime licensee may be reinstated as eligible to participate in future drawings for the same species and hunt type if the licensee donated his or her license to an individual qualified by an approved nonprofit organization. Donation of a once-in-a-lifetime license will not prohibit the donor from applying for and receiving another license for the same species and restrictions in the future.



Veterans

Veteran definition approved by the New Mexico Department of Veterans Services:

- New Mexico resident veteran with a minimum of 90 days active duty service in the U.S. Military, or six continuous years in the National Guard, Military Reserve Component, U.S. Public Health Service or National Oceanic and Atmospheric Administration. Veterans must have been honorably discharged from military service.

U.S. Military definition:

- Army, Navy, Marine Corps, Air Force, Coast Guard, or their Reserve Components, Army National Guard, Air National Guard, and commissioned members of the U.S. Public Health Service or National Oceanic and Atmospheric Administration.



First Responders

12-10D-2 NMSA 1978 defines first responders as follows:

B. "first responder" means a public safety employee or volunteer whose duties include responding rapidly to an emergency, including but not limited to:

- (1) a law enforcement officer;
- (2) a firefighter or certified volunteer firefighter; and
- (3) an emergency medical services provider;



Benefits of Proposed Amendment

Under current rule, the Department is only able to transfer about half of the licenses for which it receives donation requests. By expanding the categories of eligible recipients for donated licenses, and potentially qualifying additional organizations to match eligible recipients with license donation requests, the proposed amendment would provide additional hunting opportunities that would otherwise be unused when no eligible recipient can be located.



