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HOUSE BILL 115

50TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2012

INTRODUCED BY

William "Bill" R. Rehm

AN ACT

RELATING TO GAME AND FISH; AMENDING A SECTION OF CHAPTER 17,
ARTICLE 3 NMSA 1978 TO PROVIDE FOR REFUNDS OF HUNTING LICENSES
DUE TO FOREST FIRES OR OTHER NATURAL DISASTERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 17-3-7 NMSA 1978 (being Laws 1912,
Chapter 85, Section 48, as amended) is amended to read:

"17-3-7. BLANK FORMS--LICENSE ISSUED ONLY ON
APPLICATION--FALSE STATEMENT VOIDS LICENSE--RECORDS--REPORTS--
ACCOUNTING FOR FEES COLLECTED--REFUND OF FEES--TRANSFER OF
HUNTING LICENSE.--

A. The director of the department of game and fish
shall prescribe and procure the printing of all forms and
blanks that may be required to carry out the intent of Chapter
17 NMSA 1978. All necessary blanks shall be furnished by the

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1 director to the license collectors. No license shall be issued
2 except as provided in Section 17-3-5 NMSA 1978. Any false
3 statement in any application shall render the license issued
4 void.

5 B. A license collector shall keep a correct and
6 complete record of licenses issued, which record shall remain
7 in the license collector's office and be open to inspection by
8 the public at all times.

9 C. A license collector may collect and retain a
10 vendor fee for each license or permit issued; provided the fee
11 shall be just and reasonable, as determined by regulation of
12 the state game commission, and shall not exceed one dollar
13 (\$1.00) for each license or permit issued; and provided further
14 that no such fee shall be collected by the department of game
15 and fish from the purchaser of a special license. "Special
16 license" includes those licenses for the following species:
17 antelope, elk, Barbary sheep, bighorn sheep, bison, oryx, ibex,
18 gazelle and javelina.

19 D. A license collector shall remit to the director
20 of the department of game and fish the statutory fee of all
21 licenses and permits sold on or before the tenth day of the
22 month following and shall by the same time report the number
23 and kind of licenses issued.

24 E. Except as provided in Section 17-1-14 NMSA 1978,
25 the director of the department of game and fish shall turn over

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1 all money so received to the state treasurer to be credited to
2 the game protection fund.

3 F. The director of the department of game and fish,
4 in the director's sole discretion, may authorize a refund of
5 the amount of a hunting license fee from the game and fish
6 suspense fund if:

7 (1) upon written application by the licensee,
8 prior to the time of the hunt for which the license has been
9 issued, the director finds that:

10 (a) the licensee has a disability, due
11 to a verified injury or life-threatening illness, that
12 prohibits the licensee from hunting during the period that the
13 license is valid; or

14 (b) the licensee has been deployed by
15 the military and the deployment prevents the licensee from
16 traveling to the hunt during the period that the license is
17 valid; ~~[or]~~

18 (2) upon written application by a personal
19 representative of a licensee's estate, the director finds that
20 the licensee died prior to the time of the hunt for which the
21 license was issued; or

22 (3) the director cancels a hunt due to forest
23 fire or other natural disaster.

24 G. The director of the department of game and fish,
25 in the director's sole discretion, may authorize a transfer of

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1 a hunting license:

2 (1) to the licensee's designee if, upon
3 written application by the licensee, prior to the time of the
4 hunt for which the license has been issued, the director finds
5 that:

6 (a) the licensee has a disability, due
7 to a verified injury or life-threatening illness, that
8 prohibits the licensee from hunting during the period that the
9 license is valid; or

10 (b) the licensee has been deployed by
11 the military and the deployment prevents the licensee from
12 traveling to the hunt during the period that the license is
13 valid;

14 (2) to the designee of the licensee's estate
15 if, upon written application by the personal representative of
16 the licensee's estate, the director finds that the licensee
17 died prior to the time of the hunt for which the license was
18 issued; or

19 (3) upon written application by a licensee, to
20 a nonprofit organization approved by the state game commission.

21 H. The state game commission may prescribe, by
22 rule, the documentation necessary for a finding pursuant to
23 Subsection F or G of this section."

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