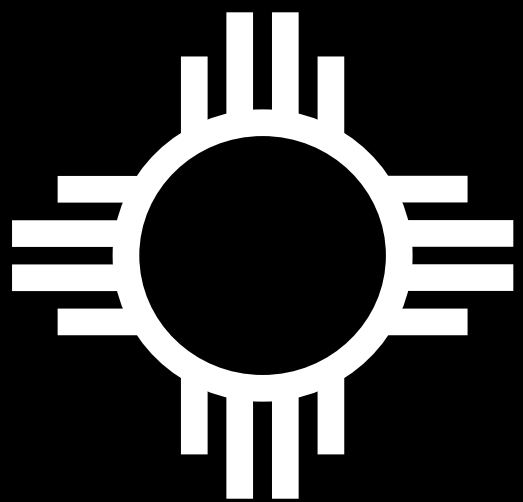


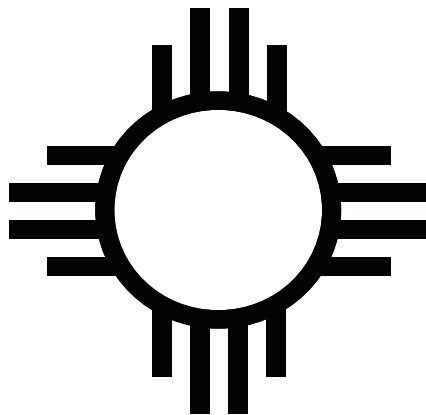
**NEW
MEXICO
REGISTER**



**Volume XXII
Issue Number 1
January 14, 2011**

New Mexico Register

**Volume XXII, Issue Number 1
January 14, 2011**



The official publication for all notices of rulemaking and filings of adopted, proposed and emergency rules in New Mexico

The Commission of Public Records
Administrative Law Division
Santa Fe, New Mexico
2011

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New Mexico Register

Volume XXII, Number 1

January 14, 2010

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Effective Date and Validity of Rule Filings

Rules published in this issue of the New Mexico Register are effective on the publication date of this issue unless otherwise specified. “No rule shall be valid or enforceable until it is filed with the records center and published in the New Mexico register as provided by the State Rules Act. Unless a later date is otherwise provided by law, the effective date of a rule shall be the date of publication in the New Mexico register.” Section 14-4-5 NMSA 1978.

A=Amended, E=Emergency, N=New, R=Repealed, Rn=Renumbered

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Notices of Rulemaking and Proposed Rules

NEW MEXICO STATE PERSONNEL BOARD

State Personnel Board Public Rules Hearing
- rescheduled

In the October 15, 2010, issue of the New Mexico Register, The State Personnel Board published a notice of a Public Rules Hearing to be held during their regular business meeting scheduled for December 17, 2010.

At the Board's December 17, 2010 meeting, the Board rescheduled the Public Rules Hearing for their regular business meeting on January 28, 2011, beginning at 8:30 am at the State Personnel Office, Willie Ortiz Building at 2600 Cerrillos Road, Santa Fe, New Mexico 87505.

The purpose of the Rule Hearing is to consider amending SPB Rules and Regulations related to:
Performance Appraisal, 1.7.9.9 NMAC.

A final agenda for the board meeting will be available at the Board office on January 18, 2011.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service in order to attend or participate in the hearing, please contact the Director at 2600 Cerrillos Road, Santa Fe, New Mexico prior to the meeting. Public documents, including the agenda and minutes can be provided in various accessible formats. Please contact the Director if a summary or other type of accessible format is needed.

**End of Notices and Proposed
Rules Section**

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Adopted Rules

NEW MEXICO COMMISSION OF PUBLIC RECORDS

This is an amendment to 1.13.10 NMAC, Section 11 effective 1/14/2011

1.13.10.11 ACCESS TO AND WITHDRAWAL OF RECORDS IN CUSTODY OF THE CUSTODIAL AGENCY:

A. Access to records stored in the records center shall be authorized in writing by the records custodian or the designated records liaison officer. The authorization shall be submitted to the records center and must specify the name of the individual(s) authorized to access the records and the effective period of the authorization.

B. Requests by the public to access records stored at the state records center shall be directed to the records custodian or the records liaison officer of the custodial agency.

C. Requests to review records on-site at the records center by the custodial agency shall be authorized by the records custodian or the records liaison officer. Personal identification must be provided to the records center staff.

D. Requests to access agency records made under the Inspection of Public Records Act shall be referred by the state records administrator to the custodial agency.

E. Requests for temporary or permanent withdrawal of records stored in the records center shall be made by the records liaison officer. The records liaison officer shall complete and submit a withdrawal form. The form shall include but not limited to the following: name and signature of the records liaison officer; date and time of transaction; agency name; agency address; records liaison officer's phone number; date requested; destination; permanent box number; shipment box number; barcode; location; record series item number; description; and return date.

F. Requests for withdrawals shall be at the box level. The records center will not honor requests for withdrawal of records at the folder level.

G. When permanent records or those eligible for transfer to archives are temporarily withdrawn, the custodial agency shall update the corresponding index to reflect any changes to the content of a box. The index shall be updated before the box is returned to the records center for storage.

H. Requests to withdraw

between one to 10 boxes shall be processed by the records center within [24 hours] three working days. Requests to withdraw 10 or more boxes shall be evaluated by the records center bureau chief and processed based on the work load of the record center staff.

I. Emergency withdrawal requests will be processed within 24 hours of receipt. Emergency requests shall be made on a form prescribed by the state records administrator and shall include: the name of agency, agency code, date and time of the request, permanent box number, shipment box number, location, record series item number, an explanation of the nature of the emergency, and the signatures of the records liaison officer and the head of the agency.

[1.13.10.11 NMAC - Rp, 1 NMAC 3.2.10.1.12, 6/30/2005; A, 6/30/2008; A, 6/30/2009, A, 1/14/2011]

NEW MEXICO COMMISSION OF PUBLIC RECORDS

This is an amendment to 1.13.11 NMAC, Section 8, effective 01/14/2011

1.13.11.8 GUIDELINES FOR USE OF ARCHIVES RESEARCH ROOM:

A. Research room hours are [10:00 am to 4:45 pm] 12:00 pm to 4:30 pm, Monday through Friday, except holidays or other times specified by NMSRCA.

(1) Reference assistance is available from [10:00 am to] 12:00 pm [and 1:00 pm] to 4:30 pm.

(2) Historical films and videos can be viewed by appointment only.

(3) Requests to view 10 or more photographs require an appointment.

(4) Material shall not be pulled from the vault between 12:00 pm and 1:00 pm or after 4:15 pm.

B. All researchers and visitors shall sign the daily log as they enter the research rooms.

C. Researchers shall complete a user registration form (SRC 96-20).

(1) Researchers shall be asked to update registration forms periodically.

(2) To register, researchers shall provide photographic identification. Acceptable forms of identification include a driver's license, a school or business identification card, or a passport.

D. The NMSRCA prohibits researchers from carrying boxes, briefcases, satchels, valises, backpacks, purses, folders,

coats, newspapers, or other large containers into the research rooms.

(1) Researchers will be provided lockers for their belongings on a first-come, first-serve basis. Lockers are available for a quarter.

(2) Researchers' personal belongings must be removed from the lockers each night.

E. Except as provided in Paragraphs (1) through (4) of Subsection E of 1.13.11.8 NMAC, only paper and pencils may be taken into the research rooms.

(1) Researchers may use a personal computer provided their use does not disturb others. The speakers shall be disabled or lowered to an inaudible level.

(2) Cell phones brought into the research rooms are subject to the following procedures.

(a) Cell phones must be placed on vibrate mode.

(b) Calls must be made or answered outside of the research rooms.

(3) Researchers may use still digital or film cameras in the research rooms provided their use does not disturb others and subject to the following procedures.

(a) Researchers shall request approval from the archivist on duty before the equipment is allowed into the research rooms.

(b) Equipment is subject to inspection by staff prior to admittance.

(c) Flash photography is not allowed in any research room. Violators will be asked to put their cameras away.

(d) Researchers shall place a "New Mexico state records center and archives" template on each page photographed. Staff will supply the template. Template shall be returned to staff once work is completed.

(e) Researchers shall follow the copyright law of the United States (Title 17, United States Code) which governs the making of photocopies or other reproductions of copyrighted material. If publishing materials, researchers shall comply with the commercial use fees pursuant 1.13.2.21 NMAC and with 1.13.2.10 NMAC.

(4) Notes, references, list of documents to be consulted, such as one spiral notebook or binder, may be admitted if they are essential to a researchers work but are subject to inspection upon entering or leaving the research rooms.

(5) Researchers may use approved optical scanners in the research rooms provided their use does not disturb others and subject to the following procedures.

(a) Researchers shall request approval from the archivist on duty before the equipment is allowed into the research room.

(b) Equipment is subject to inspection by staff prior to admittance.

(c) Prior to scanning, researchers shall present the material to be scanned to the archivist on duty for approval. The archivist shall refuse a request if he or she determines that scanning would damage the materials.

(d) If approved for scanning, researchers shall follow scanning guidelines. Guidelines will be provided by the archivist on duty.

(e) Researchers shall follow the copyright law of the United States (Title 17, United States Code) which governs the making of photocopies or other reproductions of copyrighted material. If publishing materials, researchers shall comply with the commercial use fees pursuant 1.13.2.21 NMAC and with 1.13.11.10 NMAC.

F. No eating, drinking, or smoking is permitted in the research rooms.

G. Loud talking or other activities likely to disturb other researchers is prohibited.

H. Children under the age of 16 years shall not be admitted in the research rooms unless they are accompanied by an adult. The archivist on duty may waive this requirement with respect to individual researchers.

I. Researchers refusing to comply with NMSRCA research room guidelines or whose actions present a danger to the documents or annoyance to other researchers shall be denied access to archival collections and shall be asked to leave by the director of archives and historical services.

[07/01/96; 1.13.11.8 NMAC - Rn, 1 NMAC 3.2.10.2.8 & A, 07/15/03; A, 06/01/06; A, 06/30/09; A, 01/14/11]

End of Adopted Rules Section

Other Material Related to Administrative Law

**NEW MEXICO BOARD
OF EXAMINERS FOR
ARCHITECTS****New Mexico Board of Examiners for
Architects**

PO Box 509
Santa Fe, NM
505-982-2869

Regular Meeting

The New Mexico Board of Examiners for Architects will hold a regular open meeting of the Board in Santa Fe, New Mexico on Friday, February 4, 2011. The meeting will be held in the Conference Room of the Board office, #5 Calle Medico, Ste. C in Santa Fe beginning at 9:00 a.m. Disciplinary matters may also be discussed.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or other form of auxiliary aid or service to attend or participate in the meeting, please contact the Board Office at 982-2869 at least one week prior to the meeting. Public documents, including the agenda and minutes can be provided in various accessible formats. Please contact the Board Office if a summary or other type of accessible format is needed.

**End of Other Related Material
Section**

Submittal Deadlines and Publication Dates 2011

Volume XXII	Submittal Deadline	Publication Date
Issue Number 1	January 4	January 14
Issue Number 2	January 18	January 31
Issue Number 3	February 1	February 14
Issue Number 4	February 15	February 28
Issue Number 5	March 1	March 15
Issue Number 6	March 16	March 31
Issue Number 7	April 1	April 15
Issue Number 8	April 18	April 29
Issue Number 9	May 2	May 16
Issue Number 10	May 17	May 31
Issue Number 11	June 1	June 15
Issue Number 12	June 16	June 30
Issue Number 13	July 1	July 15
Issue Number 14	July 18	July 29
Issue Number 15	August 1	August 15
Issue Number 16	August 16	August 31
Issue Number 17	September 1	September 15
Issue Number 18	September 16	September 30
Issue Number 19	October 3	October 17
Issue Number 20	October 18	October 31
Issue Number 21	November 1	November 15
Issue Number 22	November 16	November 30
Issue Number 23	December 1	December 15
Issue Number 24	December 16	December 30