

NEW MEXICO 
Commission of Public Records
at the State Records Center and Archives
Your Access to Public Information

New Mexico Register

The official publication for all official notices of rulemaking
and filing of proposed, adopted and emergency rules.

Volume XXXIV - Issue 9 - May 16, 2023

COPYRIGHT © 2023
BY
THE STATE OF NEW MEXICO

ALL RIGHTS RESERVED

The New Mexico Register

Published by the Commission of Public Records,
Administrative Law Division

1205 Camino Carlos Rey, Santa Fe, NM 87507

The *New Mexico Register* is published twice each month by the Commission of Public Records, Administrative Law Division. The cost of an annual subscription is \$270.00. Individual copies of any Register issue may be purchased for \$12.00. Subscription inquiries should be directed to: The Commission of Public Records, Administrative Law Division, 1205 Camino Carlos Rey, Santa Fe, NM 87507.

Telephone: (505) 476-7941; Fax: (505) 476-7910; E-mail: staterules@state.nm.us.

The *New Mexico Register* is available free at <http://www.srca.nm.gov/new-mexico-register/>

New Mexico Register

Volume XXXIV, Issue 9

May 16, 2023

Table of Contents

Notices of Rulemaking and Proposed Rules

EARLY CHILDHOOD EDUCATION AND CARE DEPARTMENT

Notice of Rulemaking and Public Rule Hearing.....377

HOMELAND SECURITY AND EMERGENCY MANAGEMENT, DEPARTMENT OF STATE FIRE MARSHAL OFFICE

Notice of Proposed Rulemaking.....378

HUMAN SERVICES DEPARTMENT INCOME SUPPORT DIVISION

Notice of Public Hearing.....379

MEDICAL BOARD

Notice of Public Hearing.....380

PUBLIC EDUCATION DEPARTMENT

Notice of Proposed Rulemaking.....381

PUBLIC REGULATION COMMISSION

Notice of Proposed Rulemaking - DOCKET NO. 23-00147-UT.....382

REGULATION AND LICENSING DEPARTMENT

INTERIOR DESIGN BOARD

Notice of Public Rule Hearing and Board Meeting.....383

PRIVATE INVESTIGATIONS ADVISORY BOARD

Notice of Public Rule Hearing and Advisory Board Meeting.....385

SOCIAL WORK EXAMINERS, BOARD OF

Notice of Public Rule Hearing and Regular Board Meeting.....386

Adopted Rules

A = Amended, E = Emergency, N = New, R = Repealed, Rn = Renumbered

ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

ENERGY CONSERVATION AND MANAGEMENT DIVISION

19.1.10 NMAC N Community Energy Efficiency Development (CEED) Program.....389

HIGHER EDUCATION DEPARTMENT

5.7.22 NMAC R Legislative Endowment Scholarship Program.....394

5.7.23 NMAC R College Affordability Grant.....394

5.7.3 NMAC A New Mexico Health Professional Loan Repayment Program (HPLRP)....394

WORKFORCE SOLUTIONS, DEPARTMENT OF

11.1.2 NMAC A Public Works Minimum Wage Act Policy Manual.....395

Other Material Related to Administrative Law

ECONOMIC DEVELOPMENT DEPARTMENT

Notice of Minor, Nonsubstantive Correction.....419

Notices of Rulemaking and Proposed Rules

EARLY CHILDHOOD EDUCATION AND CARE DEPARTMENT

NOTICE OF RULEMAKING AND PUBLIC RULE HEARING

The New Mexico Early Childhood Education and Care Department (ECECD) hereby gives notice as required under Section 14-4-5.2 NMSA 1978 and 1.24.25.11 NMAC that it proposes to adopt amendments to the following rule regarding SOCIAL SERVICES CHILD CARE ASSISTANCE REQUIREMENTS FOR CHILD CARE ASSISTANCE PROGRAMS FOR CLIENT AND CHILD CARE PROVIDERS as authorized by Subsection (E) of Section 9-29-6 NMSA 1978

8.9.3 NMAC - CHILD CARE ASSISTANCE REQUIREMENTS FOR CHILD CARE ASSISTANCE PROGRAMS FOR CLIENTS AND CHILD CARE PROVIDERS

8.9.3.6 NMAC OBJECTIVES

8.9.3.7 NMAC DEFINITIONS

8.9.3.11 NMAC ELIGIBILITY REQUIREMENTS

8.9.3.12 NMAC

RECERTIFICATION

8.9.3.13 NMAC CLIENT RESPONSIBILITIES

8.9.3.15 NMAC PROVIDER REQUIREMENTS

8.9.3.17 NMAC PAYMENT FOR SERVICES

8.9.3.21 NMAC SANCTIONS

8.9.3.24 NMAC CO-PAYMENT SCHEDULE

No technical scientific information was consulted in drafting these proposed rules.

Purpose of proposed rules: The purpose of the rulemaking is to promulgate amendments to 8.9.3 NMAC. In summary, the proposed rules will update necessary changes for the provision of child care assistance services in New Mexico as well as make changes required by the federal Child Care Development Fund

(CCDF) grant. The Child Care and Development Block Grant (CCDBG) Act is the law (along with Section 418 of the Social Security Act) that authorizes the federal child care subsidy program known as CCDF. CCDF requires that states receiving such federal funds must establish a sliding fee scale that provides for cost-sharing by families receiving these child care services. **The proposed amendments also include a rate increase for child care providers participating in ECECD's Child Care Assistance program.**

A summary of the proposed amendments is attached to this notice. As part of the amendment process, ECECD will hold a public rule hearing for the proposed amendments on June 22, 2023, from 9:00 a.m. to 11:00 a.m.

Copies of the proposed amended rules may also be found at ECECD's website at Regulation Changes | Early Childhood Education and Care Department (nmeccd.org)/ 30 days prior to the Public Hearing.

Notice of public rule hearing: The public rule hearing will be held on June 22, 2023, from 9:00 a.m. to 11:00 a.m. for proposed amendments to 8.9.3 NMAC. The hearing will be held in Apodaca Hall of the PERA Building located at 1120 Paseo de Peralta, Santa Fe, New Mexico 87502 and via virtual web platform (Zoom), email, and telephonic means. The public hearing will be conducted in a fair and equitable manner by an ECECD agency representative or hearing officer and shall be recorded. Any interested member of the public may attend the hearing and will be provided with a reasonable opportunity to offer public comment, either orally or in writing, including presentation of data, views, or arguments, on the proposed rules during the hearing. Individuals with disabilities who need any form of auxiliary aid to attend or participate in the public hearing are asked to

contact ECECD at ECECD-ECS-PublicComment@ECECD.NM.Gov or call (505)231-5820. ECECD will make every effort to accommodate all reasonable requests but cannot guarantee accommodation of a request that is not received at least ten calendar days before the scheduled hearing.

Notice of acceptance of written public comment: Written public comment, including presentation of data, views, or arguments about the proposed rules, from any interested member of the public, may be submitted via email to ECECD-ECS-PublicComment@ECECD.NM.Gov with the subject line "8.9.3 Public Comment" or via first class mail to P.O. Drawer 5619, Santa Fe, New Mexico 87502 – 5619. Written comments may be delivered to the Old PERA building at 1120 Paseo de Peralta on June 22, 2023, from 9:00 a.m. to 11:00 a.m. The deadline to submit comments is at the end of the public hearing on June 22, 2023.

Any interested member of the public may attend the hearing in person, or via the virtual web platform or telephone, and offer public comments on the proposed rule during the hearing. To access the hearing by telephone: place call 1-669-444-9171, access code 86234950863#. You will be able to hear the full hearing and your telephone comments will be recorded. To access the hearing via the internet: please go to <https://nmeccdorg.zoom.us/j/86234950863>, and follow the instructions indicated on the screen – Meeting ID (access code): 86234950863. This will be a live stream of the hearing. You may also provide comment via chat during the live streaming.

Summary of Proposed Amendments to 8.9.3 NMAC:

8.9.3.6 NMAC OBJECTIVES

ECECD's proposed amendment to this section includes updating the date that the child care assistance rate increases becomes effective,

which will be August 1, 2023, if the proposed rate increases are adopted following public comment and hearing.

8.9.3.7 NMAC DEFINITIONS

ECECD's proposed amendments to this section include changing the word "co-payment" to "copayment" for stylistic and conformity purposes. This section also includes new proposed definitions for "federal poverty level" and "tribal per capita payments."

8.9.3.11 NMAC ELIGIBILITY REQUIREMENTS

ECECD's proposed amendments to this section include changing the word "co-payment" to "copayment" for stylistic and conformity purposes. ECECD also proposes adding "tribal per capita payments" to the list of the categories of exempt income.

8.9.3.12 NMAC RECERTIFICATION

ECECD's proposed amendments to this section include changing the word "co-payment" to "copayment" for stylistic and conformity purposes.

8.9.3.13 NMAC CLIENT RESPONSIBILITIES

ECECD proposes amendments to this section of the regulation to substantively change how ECECD calculates and charges copayments to child care assistance clients. ECECD's proposed amendments to this section also include changing the word "co-payment" to "copayment" for stylistic and conformity purposes. It also includes required copayments for families based on the first two children receiving child care assistance, but waives copayments for any additional children. ECECD is proposing to add a new chart to this section to clarify how copayments are calculated based on the Federal Poverty Level and the family's income. This formula is used to create the actual copayment each family must pay based on income and the number of children, which is published on ECECD's website. In addition, ECECD is adding language requiring that it give families and

providers three months' notice prior to reinstating copayments if ECECD waives copayments again in the future.

8.9.3.15 NMAC PROVIDER REQUIREMENTS

ECECD's proposed amendments to this section include changing the word "co-payment" to "copayment" for stylistic and conformity purposes. This section also includes a new change to the fees that child care providers are allowed to pass onto client or family. ECECD proposes to now prohibit child care providers from charging child care assistance families applicable gross receipts taxes (GRT), whereas these providers are currently allowed to pass on such costs to the families. The new proposed rate increases for child care providers set forth in 8.9.3.17 NMAC, however, include expenses for the payment of GRT. Child care providers are now required to pay applicable GRT out of the child care assistance payments they receive.

8.9.3.17 NMAC PAYMENT FOR SERVICES

ECECD proposes amending this section by adding additional language about when the department may close placements or discontinue payments in order make the requirements in this section consistent with those found in 8.9.3.15(D) NMAC. Language is also being inserted clarifying that ECECD will require documentation to verify when such payments should be discontinued. ECECD also proposes amending this section to increase child care provider rates based on the cost estimation model. The proposed increase in child care assistance rates was formulated using the cost estimation model to (1) address increased inflation and (2) hopefully ensure a \$15.00 hourly minimum wage for all child care employees.

8.9.3.21 NMAC SANCTIONS

ECECD's proposed amendments to this section include changing the word "co-payment" to "copayment" for stylistic and conformity purposes.

8.9.3.24 NMAC CO-PAYMENT SCHEDULE

ECECD's proposed amendments to this section include changing the word "co-payment" to "copayment" for stylistic and conformity purposes.

HOMELAND SECURITY AND EMERGENCY MANAGEMENT, DEPARTMENT OF STATE FIRE MARSHAL OFFICE

NOTICE OF PROPOSED RULEMAKING

NOTICE IS HEREBY GIVEN that the State Fire Marshal ("Fire Marshal"), pursuant to the New Mexico Insurance Code, Paragraph (2) of Subsection C of Section 59A-52-1.1 NMSA 1978, proposes to amend Rule 10. 25.2 NMAC, Certificates of Fitness.

PURPOSE OF THE PROPOSED NEW RULE IS: To amend 10. 25.2 NMAC to reflect inspection and testing requirements by adding (1) fire and smoke dampers to the enumerated bases for a certificate of fitness, and (2) application requirements for certification to inspect and test such dampers.

STATUTORY AUTHORITY: Section 59A-52-15 NMSA 1978.

Copies of the Notice of Proposed Rulemaking and proposed rule are available by electronic download from the State Fire Marshal's Office website (www.nmdhsem.org/state-firemarshal) or the New Mexico Sunshine Portal.

The State Fire Marshal's Office will hold a public video/telephonic hearing on the proposed rule on June 15, 2023, at 9:00 a.m.

Join via Video: https://teams.microsoft.com/l/meetup-join/19%3ameeting_M2Q2YjY2MDctZjJjZi00ZWRkLWI2MDctZjU0ZTg5NTQ3OGZm%40thread.v2/

0?context=%7b%22id%22%3a%2204aa6bf4-d436-426f-bfa4-04b7a70e60ff%22%2c%22oid%22%3a%2277e4a8c0-c053-42c5-94ea-9f1a7d06d123%22%7d
Meeting ID: 249 964 854 127
Passcode: evpy7t
Join via telephone: 1-505-312-4308
Passcode: 925 440 164#

The Fire Marshal designates Bureau Chief Aaron Garcia to act as the hearing officer for this rulemaking. Oral comments will be accepted at the video/telephonic hearing from members of the public and any interested parties.

Written comments and proposals will be accepted through 4:00 pm on June 15, 2023. Responses to written comments or oral comments will be accepted through 12:00 pm on June 15, 2023. Comments may be submitted via email to AaronM.Garcia@dhsem.nm.gov or may be filed by sending original copies to:

New Mexico Fire Marshal's Office, New Mexico Department of Homeland Security
13 Bataan Blvd., PO Box 27111,
Santa Fe, NM. 87502

Only signed statements, proposals, or comments will be accepted. Scanned or electronic signatures conforming to federal and state court requirements will be accepted with the understanding that if there is any dispute regarding a signature, the Fire Marshal reserves the right to require that original signatures be provided to verify the electronic signature. All filings must be received between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday except on state holidays. Any filings after 4:00 will be filed to the docket the next business day.

SPECIAL NEEDS: Any person with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or other auxiliary aid or service to attend or participate in

the hearing should contact Danielle Gonzales at 505-476-0874 ten (10) business days prior to the hearing.

The Fire Marshal will review and consider all timely submitted written and oral comments and responses.

ISSUED this 21st day of April

/s/ Fire Marshal Randy

**HUMAN SERVICES
DEPARTMENT
INCOME SUPPORT DIVISION
NOTICE OF PUBLIC HEARING**

The Human Services Department through Income Support Division (ISD) is proposing Amend/ Repeal/Replace to rules 8.102.100 NMAC Definitions and Acronyms, 8.102.520.9 NMAC Eligibility Policy-Income, 8.106.100 NMAC Definitions and Acronyms, 8.106.520 NMAC Eligibility Policy-Income, 8.139.100 NMAC General Provisions for the Food Stamp Program, 8.139.520 NMAC Eligibility Policy/ Income and Deductions, 8.139.527 NMAC Income and Resources Excluded by Federal Law. Changes in the rule are to update language, incorporate standardized rule language, correcting citation format.

Specifically, the changes include:

8.102.100 NMAC

Repeal/replace to comply with federal regulations as well as NMAC rule requirements. (Specifically, section 7 & 8).

8.102.520 NMAC

Repeal/replace to comply with federal regulations as well as NMAC rule requirements. (Specifically, section 9).

8.106.100 NMAC

Repeal/replace to comply with federal regulations as well as NMAC rule requirements. (Specifically, Section 7 & 8).

8.106.520 NMAC

Repeal/replace to comply with federal regulations as well as NMAC rule requirements. (Specifically, section 9).

8.139.100 NMAC

Repeal/replace to comply with federal regulations as well as NMAC rule requirements. (Specifically, section 7 & 8).

8.139.520 NMAC

Repeal/replace to comply with federal regulations as well as NMAC rule requirements.

8.139.527 NMAC

Repeal/replace to comply with federal regulations as well as NMAC rule requirements.

Regulations issued pursuant to the act are contained in 7 CFR 270-282 and 45 CFR Parts 200-299. State Authority for administering the food stamp program is contained in Chapter 27 NMSA, 1978. Administration of the Human Services Department (HSD), including its authority to promulgate regulations, is governed by Chapter 9, Article 8, NMSA 1978 (Repl. 1983).

A public hearing to receive testimony on this proposed rule will be held virtually, pursuant to Section 14-4-5.6 NMSA 1978, will be held on June 20, 2023, 11:00 a.m.-12:00 p.m. Please join my meeting from your computer, tables or smartphone <https://meet.goto.com/292123245> You can also dial in using your phone: United States: +1 (224) 501-3412 Access Code: 292-123-245 Get the app now and be ready when your first meeting starts: <https://meet.goto.com/install>.

All Written comment may be dropped off by 5:00 pm, June 20, 2023 at the HSD Sandoval County Field Office, 4363 Jager Dr., Rio Rancho, NM 87144.

Individuals wishing to testify may contact the Income Support Division (ISD), P.O. Box 2348, Santa Fe, NM 87504-2348, or by calling 505-396-0313. This register and the proposed changes are available on the HSD website at [Income Support Division Registers | New Mexico Human Services Department state.nm.us](https://www.incomesupportdivision.org/new-mexico-human-services-department-state.nm.us)). If you do not have internet access, a copy of the proposed rules may be requested by contacting the Income Support Department P.O. Box 2348, Santa Fe, New Mexico 87504-2348 or by calling (505) 396-0313.

If you are a person with a disability and you require this information in an alternative format, or you require a special accommodation to participate in any HSD public hearing, program, or service, please contact the American Disabilities Act Coordinator, at Office-505-709-5468, Fax-505-827-6286 or through the New Mexico Relay system, toll free at #711. The Department requests at least a 10-day advance notice to provide requested alternative formats and special accommodations.

Individuals who do not wish to attend the hearing may submit written or recorded comments. Written or recorded comments must be received by 5:00 p.m. on the date of the hearing, June 20, 2023. Please send comments to: Human Services Department, P.O. Box 2348, Santa Fe, NM 87504-2348.

Recorded comments may be left at (505) 396-0313. You may send comments electronically to: HSD-isdrules@hds.nm.gov. Written and recorded comments will be posted to the agency's website within 3 days of receipt. All comments will be given the same consideration as oral testimony made at the public hearing.

MEDICAL BOARD

NOTICE OF PUBLIC HEARING

Public Notice. The New Mexico Medical Board (NMMB) gives notice

that it will conduct a public rule hearing on June 21, 2023 at 4:00 p.m. (MDT). This rule hearing is in person and can be accessed virtually. The purpose of the public hearing is to receive public input on the proposed amendments to 16.10.2 NMAC - Physicians: Physicians Licensure Requirements, 16.10.5 NMAC - Disciplinary Power of the Board and 16.10.6 - Complaint Procedure and Institution of Disciplinary Action. Physical Hearing Location is 2055 South Pacheco Street, Bldg. 400, Santa Fe, NM 87505.

Join Zoom Meeting
<https://us02web.zoom.us/j/83140102469?pwd=M1diTzRtZmNiNUkxR1ltNzBkNG1SQT09>

Meeting ID: 831 4010 2469
Passcode: 947330
One tap mobile
+13462487799,,83140102469#,,,,*947330# US (Houston)
+16699006833,,83140102469#,,,,*947330# US (San Jose)

Dial by your location
+1 346 248 7799 US (Houston)
+1 669 900 6833 US (San Jose)
+1 253 215 8782 US (Tacoma)
+1 312 626 6799 US (Chicago)
+1 929 205 6099 US (New York)
+1 301 715 8592 US (Washington DC) Meeting ID: 831 4010 2469
Passcode: 947330
Find your local number: <https://us02web.zoom.us/j/83140102469>

Purpose. During the 2023 Legislative Session HB384 passed and was signed by Governor Lujan Grisham on April 3, 2023. HB384 enacted new sections and revisions to the Medical Practice Act and the Uniform Licensing Act to provide for an expedited one-year provisional license that confers the same rights, privileges and responsibilities as a regular license issued by the Board.

Additionally, HB384 authorizes the Board to determine those states and territories of the United States and the District of Columbia from which it will not accept an applicant for expedited licensure and shall determine any foreign countries from which it will accept an applicant for expedited licensure.

HB384 also clarifies reasons for a licensee to be heard before the board and the timeframe for discovery by the board; authorizes issuance of specific civil investigative subpoenas for complaints licensees, applicants, or unlicensed persons; removes the requirement that licensees bear all costs of disciplinary proceedings unless they are excused or prevail; unlicensed persons with no address on record are to be personally served with any required notice; authorizes hearings to be held by virtual remote means; removes the right of a party to be represented by a licensed member of the person's profession at a hearing before the board; a complete record of hearing evidence may be made using digital recording technology; requires a final decision and order based on the hearing to be made and executed within 90 days after the hearing is closed and the board must grant or refuse a request to reopen a case within 15 days after receipt of the request. HB384 eliminates the specified \$1,000 fine for licensure violation and increases from \$1,000 to \$10,000 the penalty for practicing without a license.

The revisions and additions to the Medical Practice Act and the Uniform Licensing Act requires promulgation of rules to implement the provisions set forth in HB384.

The statutory authorization.

Medical Practice Act Sections 61-6-1 through 61-6-35 NMSA 1978 and Uniform Licensing Act Sections 61-1-1 through 61-1-34, NMSA 1978.

Summary of proposed changes.

The Board summarizes its proposed changes to its administrative rules as follows:

16.10.2 NMAC - Physicians:

Licensure Requirements

As a general summary, the proposed changes to 16.10.2 NMAC are to:

- Define a Complete Application;
- Define License Renewal;
- Change the definition of a “Military Service Member”;
- Add expedited license to Categories of Active Licenses;
- Change “Medical License by Endorsement” to “Expedited Licensure”;
- Remove the application requirement to receive proof of citizenship;
- Add the meaning of “continuous practice”;
- Add the provision that the Board has discretion to require that an applicant for an expedited license take a competency examination;
- Add the procedure for an “incomplete” application;
- Under Criminal Arrests and Convictions include that the Board shall not exclude an otherwise qualified applicant on the sole basis that the person has been previously arrested or convicted of a crime unless the person has a disqualifying criminal conviction;

16.10.5 NMAC - Disciplinary Power of the Board

As a general summary, the proposed changes to 16.10.5 to clean up the definitions of “license” and “Licensee”; clean up the provision for reinstatement after the suspension of a license; add the definition of “probation” and add the conditions of probation; change the penalty for practicing without a license from \$1,000 to \$10,000; add that all fines received by the Board be deposited into the current school fund; strike reimbursement of costs and add limitations to the Disciplinary Power of the Board.

16.10.6 NMAC - Complaint Procedure and Institution of Disciplinary Action

As a general summary, the proposed changes to 16.10.6 NMAC are to do some basic clean-up of the rule; add

acceptable correspondence methods for administrative prosecution purposes; add the provision for peremptory challenge of hearing officer in the case of more than one hearing under one case number; add to the definition of Ex Parte Communication; add deadlines for receipt of hearing officers report and define the completion and closure of a hearing; add that a record of hearing shall include all evidence proffered but not admitted and admitted evidence; add that the record shall designate and seal those portions of the record that are privileged, confidential or redacted at the direction of the hearing officer, the request of a party or the request of a witness; and add the definition of Venue of a Hearing.

No technical information serves as a basis for this proposed rule change.

Public comment. Interested parties may provide comment on the proposed amendments of this state rule at the public hearing or may submit written comments to Amanda Quintana, New Mexico Medical Board, 2055 South Pacheco Street, Bldg. 400, Santa Fe, NM 87505, or by electronic mail to AmandaL.Quintana@state.nm.us. All written comments must be received no later than 5:00 p.m. (MDT) on June 20, 2023. All written comments will be posted to the agency website within (3) three business days.

Copies of proposed rule. Copies of the proposed rules may be accessed through the New Mexico Medical Board’s website at www.nmmb.state.nm.us or may be obtained from the Board office by calling (505) 476-7220 or via email at AmandaL.Quintana@state.nm.us.

Individuals with disabilities who require the above information in an alternative format, or who need any form of auxiliary aid to attend or participate in the public hearing are asked to contact Amanda Quintana at (505) 476-7230 or via email at AmandaL.Quintana@state.nm.us.

The New Mexico Medical Board requires at least ten (10) calendar days advance notice to provide any special accommodations requested.

PUBLIC EDUCATION DEPARTMENT

NOTICE OF PROPOSED RULEMAKING

Public Hearing

The New Mexico Public Education Department (PED) gives notice that it will conduct a public hearing for the following proposed rulemaking on Wednesday, June 21, 2023, from 1:30 p.m. to 2:30 p.m. (MDT) in Mabry Hall, located in the Jerry Apodaca Education Building, 300 Don Gaspar Ave., Santa Fe, New Mexico 87501:

- Amendment to **6.29.5 NMAC, English Language Development;**
- Amendment to **6.32.2 NMAC, Guidelines for Implementing Bilingual Multicultural Education Programs;**
- Repeal and replace of **6.63.8 NMAC, Licensure in Athletic Coaching, 7-12;** and
- New rule **6.2.9 NMAC, Public Education Commission State Charter School Procedures**
- Repeal and replace of **6.2.8 NMAC, Operational Bylaws of the Professional Practices and Standards Council**

The PED will give a verbal summary statement, on record, at the hearing.

The purpose of the public hearing is to receive public input on the proposed rulemaking. Attendees who wish to provide public comment on record will be given three minutes to make a statement concerning the proposed rulemaking. To submit written comment, please see the Public Comment section of this notice.

Explanation of Purpose of Rulemaking, Summary of Text, and

Statutory Authority, by Proposed Rule**6.29.5 NMAC, English Language Development**

- **Explanation:** The purpose of the proposed rulemaking is to formalize instructional requirements for designated and integrated English language development as outlined in federal obligations to English language learners.

- **Summary:** The proposed repeal and replace of this rule adds description for designated and integrated English language development and includes updates necessary under new rulemaking guidelines.

- **Statutory Authority:** Sections 9-24-8, 22-2-1, 22-2-2, and 22-2C-3 NMSA 1978.

6.32.2 NMAC, Guidelines for implementing Bilingual Multicultural Education Programs

- **Explanation:** The purpose of the proposed rulemaking is to establish an opportunity for students who do not speak their heritage language to obtain instruction with a focus on language acquisition prior to receiving content instruction in the home/heritage language of the Bilingual Multicultural Education Program.

- **Summary:** The proposed repeal and replace of this rule adds language acquisition as an option under instructional requirements and includes updates necessary under new rulemaking guidelines.

- **Statutory Authority:** Sections 9-24-8, 22-2-1, 22-2-2, 22-23-1 NMSA 1978.

6.63.8 NMAC, Licensure in Athletic Coaching, 7-12

- **Explanation:** The purpose of the proposed rulemaking is to align existing coaching licensure requirements with legislation.

- **Summary:** The proposed repeal and replace of this rule mandates current certification cardiopulmonary resuscitation, including use of an automated external defibrillator, for all licensed coaches.

- **Statutory Authority:** Sections 9-24-8, 22-2-1, and 22-2-2 NMSA 1978.

6.2.9 NMAC, Public Education Commission State Charter School Procedures

- **Explanation:** The purpose of the proposed rulemaking is to establish the procedures, forms, and protocols in relation to state-chartered charter schools.

- **Summary:** The proposed new rule establishes the Public Education Commission state charter school procedures, including for the review and evaluation of state charter school applications and renewals.

- **Statutory Authority:** Sections 9-24-8, 22-2-1, and 22-2-2, and 22-8B-5.3 NMSA 1978.

6.2.8 NMAC, Operational Bylaws of the Professional Practices and Standards Council

- **Explanation:** The purpose of the proposed rulemaking is to change the rule's chapter name from, "State Board of Education Commission and Advisory Boards," to, "Public Education Department Commissions and Advisory Boards." This is to align this rule's chapter name with the new proposed rule, 6.2.9 NMAC, Public Education Commission State Charter School Procedures.

- **Summary:** The proposed repeal and replace changes the rule's chapter name and has technical cleanup.

- **Statutory Authority:** Sections 9-24-8, 22-2-1, and 22-2-2 NMSA 1978.

No technical information served as a basis for this proposed rule change.

Public Comment

Interested parties may provide comment at the public hearing or may submit written comments by mail, e-mail, or fax.

Mailing Address

Policy and Legislative Affairs
Division
New Mexico Public Education
Department

300 Don Gaspar Avenue, Room 121
Santa Fe, New Mexico 87501

E-Mail Address

Rule.Feedback@ped.nm.gov

Written comments must be received no later than 5 p.m. (MDT) on Wednesday, June 21, 2023. The PED encourages the early submission of written comments.

Public Comment Period

The public comment period is from Tuesday, May 16, 2023, to Wednesday, June 21, 2023, at 5:00 p.m. (MDT). The PED will review all feedback received during the public comment period and issue communication regarding a final decision of the proposed rulemaking at a later date.

Copies of the proposed rules may be obtained from Denise Terrazas at (505) 470-5303 during regular business hours or may be accessed through the PED Police and Legislative Affairs webpage titled, "Proposed Rules," at <http://webnew.ped.state.nm.us/bureaus/policy-innovation-measurement/rule-notification/>,

Individuals with disabilities who require the above information in an alternative format or need any form of auxiliary aid to attend or participate in the public hearing are asked to contact Denise Terrazas at (505) 470-5303 as soon as possible before the date set for the public hearing. The PED requires at least 10 calendar days advance notice to provide any special accommodations requested.

**PUBLIC REGULATION
COMMISSION****NOTICE OF PROPOSED
RULEMAKING
DOCKET NO. 23-00147-UT**

The New Mexico Public Regulation Commission (the "Commission") hereby gives notice of its initiation of

a proposed rulemaking to amend rule **17.9.551 NMAC: “Prior Approval of Purchased Power Agreements.”**

Summary of the full text of the proposed rule and short explanation of its purpose: The Commission proposes to amend Rule 17.9.551 NMAC in conformance with its November 2, 2022 “Final Order Upon Reconsideration.” The Commission’s Order required that the Commission’s rules be evaluated to identify out-of-date cross references to the recently repealed and replaced Rule 17.7.3 NMAC. Out-of-date cross references were identified in Rule 17.9.551 NMAC and are proposed to be deleted in this rulemaking.

Legal authority authorizing the proposed rule and the adoption of the rule: The Commission has the authority to promulgate and adopt the Proposed Rule under the New Mexico Constitution, Article XI, Sec. 2, and the New Mexico Public Regulation Commission Act, NMSA 1978, Sections 62-19-21 (2020) and 62-19-9 (2020).

How a copy of the full text of the proposed rule can be obtained: A copy of the full text of the proposed rule and instructions for accessing the complete rulemaking record can be obtained from the rulemaking page on the Commission’s website at <https://www.nm-prc.org/rulemaking-proceedings/> or by calling Robert Lundin of the Commission’s office at (505)216-8569.

How a person can comment on the proposed rule, where comments will be received and when comments are due: Any person wishing to comment on the Proposed Rules may do so by submitting written comments no later than **June 22, 2023**.

Comments can be electronically filed by sending them in PDF format to prc.records@state.nm.us. Comments must refer to Docket No. 23-00147-UT. All written comments will be posted on the Commission’s website

within three days of their receipt by the records bureau.

The record closure date for this proceeding is June 30, 2023. From that date through the completion of this proceeding, rulemaking participants will be forbidden from communicating with the Commission or its representatives concerning substantive issues in this proceeding.

When and where a public rule hearing will be held and how a person can participate in the hearing: A public hearing on the Proposed Rules and any additional issues to be addressed in formal comment process, to be presided over by the Commission or its designee, shall be held beginning at **1:00 p.m. on June 23, 2023**. Any member of the public who wishes to make a comment at the hearing shall contact Robert Lundin at (505)216-8569 or Robert.lundin@state.nm.us by no later than 5:00 p.m. on June 15, 2023, to sign up as a hearing participant. The Commission’s Office of General Counsel shall email a Zoom invitation to all hearing participants on June 16, 2023. The invitation shall include a call-in number for those participants who are unable to access the hearing via computer.

The hearing will be held to receive oral comments. Any commenters will be allowed to speak. In addition, any commenter may be limited to five minutes to speak, subject to the discretion of the Commission or its designee. The Commission or its designee may also determine that a spokesperson should be designated to speak on behalf of an organization, a group, or a group of individuals that shares the same message or seeks the same goals, in order to maximize the efficiency of the public comment hearing. No testimony or other evidence will be taken at the hearing as this is a rulemaking proceeding. A court reporter will prepare a transcript of the hearing for filing the rulemaking docket, Docket No. 23-00147-UT. Any person with a disability requiring special assistance

in order to participate in the hearing should contact Robert Lundin at least 48 hours prior to the commencement of the hearing.

Technical information that served as a basis for the proposed rule and how the information can be obtained: None.

REGULATION AND LICENSING DEPARTMENT INTERIOR DESIGN BOARD

NOTICE OF PUBLIC RULE HEARING AND BOARD MEETING

The Regulation and Licensing Department (Department) in consultation with the New Mexico Interior Design Board (Board) will hold a rule hearing on Friday, June 16, 2023 at 9:00 a.m., immediately followed by a meeting of the Board to discuss and consider adoption of the proposed rules listed below. The rule hearing and subsequent Board meeting will be held at the Regulation and Licensing Department, 5500 San Antonio Drive NE, Albuquerque, NM 87109.

The hearing and subsequent board meeting may also be accessed via Cisco Webex Meetings by using the following link:

<https://nmrld.webex.com/nmrld/j.php?MTID=mdcce639eb305cebb109f1ea470f9664>

Code: 24983198168
Meeting Password: DCxbRwA7v33
Join by phone: 1-415-655-0002

The purpose of the rule hearing is to receive public comments related to proposed amendments of the following rules that address changes to the Interior Design Act as amended by House Bill 384 passed during the 2023 legislative session and signed by the Governor, which is effective July 1, 2023:

16.42.1 NMAC - General Provisions
16.42.2 NMAC - Code of Professional Conduct
16.42.3 NMAC - Licensing Requirements
16.42.4 NMAC - Complaints and Disciplinary Actions
16.42.5 NMAC - Fees
16.42.6 NMAC - Continuing Education Guidelines
16.42.7 NMAC - Licensure for Military Service Members, Spouses, Dependent Children and Veterans

On May 16, 2023 copies of the proposed rules may be obtained by going to the Boards and Commissions Division, Interior Design Board website at: NMRLD | Interior Design Board Meetings & Information, or by contacting the Board Administrator for the Board at (505) 222-9882.

The Department and the Board will begin accepting public comments on the proposed rules beginning May 16, 2023. Please submit written comments on the proposed changes to Sarah McGeath, Board Administrator, via electronic mail at: Interior.Design@rld.nm.gov, or by regular mail at 5500 San Antonio Drive NE, Albuquerque, NM 87109 no later than June 16, 2023 8 a.m.

Written comments received during the public comment period will be posted to the Board's website page linked above. Any person in attendance will be given the opportunity to present their comments at the rule hearing.

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 hearing or the special board meeting, please contact Sarah McGeath, Board Administrator (505) 222-9882 at least 7 days prior to the rule hearing and special board meeting. Public documents, including the proposed rules, meeting agenda and minutes, can be provided in various accessible formats.

Statutory Authority: The proposed

rule changes are authorized by the Interior Design Act, Section 61-24C-5 NMSA 1978, which provides explicit authority for the Board to "promulgate rules as may be necessary to implement the provisions of the Interior Design Act.

The rulemaking and public rule hearing is governed by the State Rules Act, Sections 14-4-1 to 11, NMSA 1978, and the Default Procedural Rule for Rulemaking promulgated by the New Mexico Office of the Attorney General, Parts 1.24.25.1 through 1.24.25.16 NMAC.

Purpose of Proposed Rules:

The proposed rule changes are intended, primarily, to address statutory changes to the Interior Design Act that were included in House Bill 384, which was passed by the New Mexico Legislature during the 2023 Regular Session.

The proposed rules are also intended to provide the Regulation and Licensing Department with the administration, coordination and enforcement of the Interior Designer Act.

Summary of Proposed Changes:

The proposed rules incorporate or remove language and definitions provided in House Bill 384 to create consistency between the statutory provisions and the rules and regulations governing the Interior Designers Act.

The proposed rules replace references to the Interior Design Board with RLD as the board will cease to exist on July 1, 2023. The proposed rules also amend requirements for interior designer licensure to require an applicant to take and pass the national council for interior design qualification or other nationally recognized examination approved by the department, and to have an active certification from a nationally recognized certification. Further, licensure without examination may be approved on a case-by-case basis for those actively licensed in another jurisdiction with at least eight years apprenticeship. Also, the license

term has been extended to four years and requires 20 hours of continuing education before renewal. A summary of the proposed changes for each rule appears below.

16.42.1 - General Provisions:

The amendments to this part comply with statutory changes to the Interior Design Act and also contain revisions to grammatical and typographical errors throughout.

16.42.2 - Code of Professional Conduct:

The amendments to this part comply with statutory changes to the Interior Design Act and also contain revisions to grammatical and typographical errors throughout.

16.42.3 - Licensing Requirements:

The amendments to this part comply with statutory changes to the Interior Design Act which appear at NMSA 1978, Sections 61-24C-8, 61-24C-9, and 61-24C-10. These amendments and statutory changes include updating the requirements for licensure by examination, licensure without examination, expedited licensure and licensure for military service members and veterans. The amendments also contain revisions regarding renewal, expired licenses and licenses in inactive status.

16.42.4 - Complaints and Disciplinary Actions:

The amendments to this part comply with statutory changes to the Interior Design Act regarding complaints and disciplinary actions and also contain revisions to grammatical and typographical errors throughout.

16.42.5 - Fees:

The amendments to this part comply with statutory changes to the Interior Design Act regarding licensure fees and also contain revisions to grammatical and typographical errors throughout.

16.42.6 – Continuing Education Guidelines:

The amendments to this part comply with statutory changes to the Interior Design Act which appear at NMSA 1978, Section 61-24C-10D. The amendments to this part also contain revisions to grammatical and typographical errors throughout.

16.42.7 – Licensure for Military Service Members, Spouses, Dependent Children and Veterans:

The amendments to this part comply with statutory changes to the Interior Design Act regarding licensure for military service members, spouses, dependent children and veterans. The amendments to this part also contain revisions to grammatical and typographical errors throughout.

REGULATION AND LICENSING DEPARTMENT PRIVATE INVESTIGATIONS ADVISORY BOARD

NOTICE OF PUBLIC RULE HEARING AND ADVISORY BOARD MEETING

The Private Investigations Advisory Board and the Regulation and Licensing Department will hold a rule hearing on Friday, June 16, 2023, at 9:00 a.m., immediately followed by a meeting of the advisory board to discuss and consider recommendations to the Regulation and Licensing Department for adoption of the proposed rules listed below. The hearing and subsequent advisory board meeting will take place at the Regulation and Licensing Department, Toney Anaya, located at 2550 Cerrillos Road, Santa Fe, New Mexico 87505.

The hearing and subsequent advisory board meeting may also be accessed virtually via Microsoft Teams.

Meeting Link: https://teams.microsoft.com/l/meetup-join/19%3ameeting_MWM5NDYzNWYtMDFIMC00NzZjLWYyOTUtZDAyMWI2NGFiZTA

x%40thread.v2/0?context=%7b%22Tid%22%3a%2204aa6bf4-d436-426f-bfa4-04b7a70e60ff%22%2c%22Oid%22%3a%2238faec28-2659-42de-b21f-5493e3af2911%22%7d

Meeting Access Code: 235 569 904 701

Join by Phone: +15053124308

Phone Access Code: 519 534 070#

The purpose of the rule hearing is to receive public comments related to proposed amendments of the following rules that address changes to the Private Investigations Act as amended by House Bill 384 passed during the 2023 legislative session and signed by the Governor, which is effective July 1, 2023:

16.48.1 NMAC – GENERAL PROVISIONS

16.48.2 NMAC – REQUIREMENTS FOR LICENSURE AND REGISTRATION

16.48.5 NMAC – FEES

16.48.9 - DISCIPLINARY PROCEEDINGS

On Tuesday, May 16, 2023, copies of the proposed rules may be obtained through the Private Investigations Advisory Board website at RLD | Private Investigations Statutes, Rules, and Rule Hearings (nm.gov) or by contacting the Board Administrator, Richard Espinoza at (505) 475-4658.

The Private Investigations Advisory Board and the Department will begin accepting written public comment regarding the proposed rule changes beginning Tuesday, May 16, 2023, 8:00 a.m. and ending Friday, June 16, 2023, 5:00 p.m. Written public comment may be submitted either by email to pipolygraphbd@rld.nm.gov or by postal mail to the following address:

Attn: Private Investigations Advisory Board

P.O. Box 25101
Santa Fe, NM 87504

Written comments received during the public comment period (May 16, 2023 – June 16, 2023) will be posted to the website page linked above. Public comment will also be accepted during the rule hearing and may be submitted in writing or presented orally by those attending in-person. The members of the Private Investigations Advisory Board will not enter into substantive discussion of public comments during the rule hearing but will consider and deliberate any public comment during the regular advisory board meeting immediately following the conclusion of the public rule hearing.

The agenda for the Private Investigations Advisory Board regular meeting, which will begin immediately after the public rule hearing, will be available no less than 72 hours prior to the meeting, and available on the website linked above or by contacting the Board Administrator.

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 to attend or participate in the hearing or the regular advisory board meeting, please contact the Board Administrator, Richard Espinoza at (505) 476-4658 at least 7 days prior to the rules hearing and regular advisory board meeting. Public documents, including the proposed rules, meeting agenda and minutes, can be provided in various accessible formats.

Statutory Authority:

The proposed rule changes are authorized by the Private Investigations Act, Section 61-27B-5 NMSA 1978, which provides explicit authority for the regulation and licensing department (department) to promulgate rules to carry out the provisions of the Private Investigations Act.

The rulemaking and public rule

hearing is governed by the State Rules Act, Sections 14-4-1 to 11, NMSA 1978, and the Default Procedural Rule for Rulemaking promulgated by the New Mexico Office of the Attorney General, Parts 1.24.25.1 through 1.24.25.16 NMAC.

Purpose of Proposed Rules:

The proposed rule changes are intended, primarily, to address statutory changes to the Private Investigations Act that were included in House Bill 384, which was passed by the New Mexico Legislature during the 2023 Regular Session. The proposed rules are also intended to provide greater clarity regarding the qualifications and experience required for each type of licensure under the Private Investigations Act, and to incorporate the appropriate safeguards for licensees who elect to be firearm certified.

Summary of Proposed Changes:

The proposed rules incorporate or remove language and definitions provided in House Bill 384 to create consistency between the statutory provisions and the rules and regulations governing the Private Investigations Act. The proposed changes to Section 16.48.1 require private patrol companies to provide each employed security guard with an identification badge that must be updated biennially. Substantive changes to Section 16.48.2 include (1) providing the qualifications and experience requirements to obtain licensure as a security guard instructor; (2) excluding licensed private investigators from providing traffic crash reconstruction, unless the private investigator has completed an approved traffic crash reconstruction course; (3) permitting private investigators to offer skip tracing; (4) removing the definition of "good moral character;" (5) removal of the requirement that private investigations companies maintain a surety bond; (6) requiring that private investigations companies and private patrol companies must furnish and maintain a certificate of general

liability insurance in the amount of not less than one-million dollars (\$1,000,000.00); (7) the addition of a "private patrol employee" license; (8) updating the fee schedule for application, licensure and renewal; and (9) requiring any person licensed under the Private Investigations Act who elects to become firearm certified to obtain a psychological evaluation. The proposed rules also incorporate changes made in House Bill 384 regarding licensing fees under Section 16.48.5 and disciplinary proceedings under Section 16.48.9.

REGULATION AND LICENSING DEPARTMENT SOCIAL WORK EXAMINERS, BOARD OF

NOTICE OF PUBLIC RULE HEARING AND REGULAR BOARD MEETING

The New Mexico Board of Social Work Examiners will hold a rule hearing on Friday, June 16, 2023, at 9:00 a.m. Immediately following the rule hearing, the Board will convene a regular board meeting to consider adoption of the rules and take care of regular business. The hearing and meeting are being held at the Regulation and Licensing Department, located at 2550 Cerrillos Road, Santa Fe, NM in Hearing Room 1.

The meeting will also be held via Microsoft Teams for those desiring to attend virtually.

To join the meeting online by Microsoft Teams Meeting, please use the following link:

https://teams.microsoft.com/join/9GuqBDbUb0K_pAS3pw5g_w,1ELTX1jXpEKRSH1LhFkYvA,aLiKHRozSEGPDTyk8--yBg,D12aLPx6vUibQgcyJsgv_w,8wlwuMzrdUyHArSUHINavQ,KIMmlo7wjUO-HvZUesCAyQ?mode=read&tenantId=04aa6bf4-d436-426f-bfa4-04b7a70e60ff&webinarRing=gcc

Meeting ID: 221 752 526 224

Passcode: coGZiC

Or call in (audio only)

+1 505-312-4308,,221579099#

The purpose of the rule hearing is to receive public comment related to proposed amendments, repealing and/or replacing the following rule that addresses changes to the Social Work Practice Act as amended by House Bill 384 passed during the 2023 legislative session and signed by the Governor, which is effective July 1, 2023:

16.63.18 – Licensure for Military Service Members, Spouses, Dependent Children and Veterans (replace title with **Expedited Licensure**)

On May 16, 2023, copies of the proposed rule may be obtained by going to the Board's website at: <https://www.rld.nm.gov/boards-and-commissions/individual-boards-and-commissions/social-work/sw-rules-and-law/>, or by contacting the Board Administrator for the Board at (505) 476-4992.

The Board will begin accepting public comments on the proposed rule beginning May 16, 2023. Please submit written comments on the proposed rules to Ruth Romero, Board Administrator, via electronic mail at: socialworkboard@rld.nm.gov, or by regular mail at P.O. Box 25101, Santa Fe, NM 87504, no later than Friday, June 16, 2023, at 8 a.m. Written comments received prior to the rule hearing will be posted to the RLD website at: <https://www.rld.nm.gov/boards-and-commissions/individual-boards-and-commissions/social-work/sw-rules-and-law/>. Persons in attendance will also be given the opportunity to present their written or oral comments at the public rule hearing.

The agenda for the board meeting will be posted and available at least 72 hours before the meeting on the Board website at: <https://www.rld.nm.gov/>

boards-and-commissions/individual-boards-and-commissions/social-work/sw-board-information/sw-board-meetings/. Copies of the rules or the agenda may also be obtained by contacting Ruth Romero, Board Administrator at (505) 476-4992.

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 hearing, please contact Ruth Romero, Board Administrator at (505) 476-4992 at least seven (7) days prior to the rule hearing and regular board meeting. Public documents, including the proposed rules, meeting agenda and minutes, can be provided in various accessible formats.

Statutory Authority: The Social Work Practice Act, NMSA 1978, Sections 61-31-8, among other provisions, specifically authorizes the Board to “adopt and file, in accordance with the State Rules Act [Chapter 14, Article 4, 1978], rules necessary to carry out the provisions of the Social Work Practice Act, in accordance with the provisions of the Uniform Licensing Act”.

Purpose of Proposed Rules: The proposed rule change is intended to address statutory changes to the Social Work Practice Act that were included in House Bill 384, which was passed by the New Mexico Legislature during the 2023 Regular Session. The proposed rule change is also intended to provide great clarity regarding the qualifications and experience required for expedited licensure.

Summary of Proposed Changes: The proposed rule is summarized as follows:

16.63.18 NMAC – Licensure for Military Service Members, Spouses, Dependent Children and Veterans

The proposed rule incorporates language and definitions to address statutory Changes included in House Bill 384 pertaining to expedited

licensure. The substantive changes focus primarily on expedited licensure, which include the specific jurisdictions that are approved and disapproved for each license type issued by the Board of Social Work, and modifications to the expedited licensure for military service members, spouses, dependent, and veterans.

End of Notices of Rulemaking and Proposed Rule

This Page Intentionally Left Blank

Adopted Rules

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 in the State Rules Act. Unless a later date is otherwise provided by law, the effective date of the rule shall be the date of publication in the New Mexico Register. Section 14-4-5 NMSA 1978.

**ENERGY, MINERALS
AND NATURAL
RESOURCES
DEPARTMENT
ENERGY CONSERVATION
AND MANAGEMENT
DIVISION**

**TITLE 19 NATURAL
RESOURCES AND WILDLIFE
CHAPTER 1 NATURAL
RESOURCES GENERAL
PROVISIONS
PART 10 COMMUNITY
ENERGY EFFICIENCY
DEVELOPMENT (CEED)
PROGRAM**

19.1.10.1 ISSUING
AGENCY: Energy, Minerals and
Natural Resources Department.
[19.1.10.1 NMAC – N, 5/16/2023]

19.1.10.2 SCOPE: Part
19.1.10 NMAC applies to all eligible
entities applying for a grant from
the community energy efficiency
development (CEED) program.
[19.1.10.2 NMAC – N, 5/16/2023]

19.1.10.3 STATUTORY
AUTHORITY: Part 19.1.10 NMAC
is authorized pursuant to Subsection
B of 62-17A-3 NMSA 1978, and
Subsection E of Section 9-1-5 NMSA
1978.
[19.1.10.3 NMAC – N, 5/16/2023]

19.1.10.4 DURATION:
Permanent.
[19.1.10.4 NMAC – N, 5/16/2023]

19.1.10.5 EFFECTIVE
DATE: May 16, 2023, unless a later
date is cited at the end of a section.
[19.1.10.5 NMAC – N, 5/16/2023]

19.1.10.6 OBJECTIVE: The
objective is to establish procedures
for administering the program,

adopt application requirements and
evaluation criteria, and define the
purposes and qualifications for which
CEED program funding may be
utilized.
[19.1.10.6 NMAC – N, 5/16/2023]

19.1.10.7 DEFINITIONS:
For additional definitions, refer to
Section 62-17A-2 NMSA 1978.

A. “Act” means
the Community Energy Efficiency
Development Block Grant Act, 62-
17A NMSA 1978.

**B. “Affordable
housing assessment”** means a
calculation of rent or a mortgage that
is no more than thirty percent of the
United States department of housing
and urban development’s state income
limits as updated each year for low-
income, very low- income residents,
and residents whose income is thirty
percent of the state median income.

C. “Applicant” means
one or more representatives of an
eligible entity writing an application
for a CEED program grant.

D. “Division director”
means the director of the department’s
energy conservation and management
division.

E. “Eligible entity”
means an organization that may apply
for a grant from the CEED program
and includes an Indian nation, tribe,
or pueblo; county; municipality; or
the New Mexico mortgage finance
authority (MFA).

F. “Program” means
the CEED program administered by
the division.

**G. “Type one
projects”** means projects which have
the eligibility requirements described
in subsection 19.1.10.12 NMAC.

**H. “Type two
projects”** means projects by the
MFA which have the eligibility
requirements described in subsection

19.1.10.13 NMAC.
[19.1.10.7 NMAC – N, 5/16/2023]

19.1.10.8 PURPOSE:
Community energy efficiency
projects are projects that provide
improvements to residential buildings
in an underserved community
that will, in the aggregate, reduce
energy consumption, energy-related
operating costs, carbon intensity of
energy consumption, or a combination
thereof. These projects will target
the adoption of energy-efficient
consumer behavior, equipment, or
devices that result in a decrease in
energy consumption without reducing
the amount or quality of energy
services. This includes health and
safety measures, including those that
use efficient equipment or devices to
improve indoor air or drinking water
quality. It is the responsibility of the
applicant to demonstrate how the
proposed projects correspond to these
requirements.

[19.1.10.8 NMAC – N, 5/16/2023]

19.1.10.9 ELIGIBILITY:
A. Entity categories.

The CEED program will fund entities
in the following categories when
funds are available:

- (1) an Indian
nation, tribe, or pueblo;
- (2) a county;
- (3) a
municipality; and
- (4) the MFA.

B. Project location.
The CEED program shall only
award grants to eligible entities for a
community energy efficiency project
located in New Mexico.

[19.1.10.9 NMAC – N, 5/16/2023]

**19.1.10.10 APPLICATION
PROCESS:**

**A. Application
acceptance.** To apply for a CEED

program grant, an applicant shall:

- (1) obtain the division-developed CEED program application from the division,
- (2) conform to the application instructions determined by the division,
- (3) submit the completed application to the division.

Applications will be accepted by approved electronic application system, or alternate submission options may be authorized by the division director upon request.

B. Application completeness.

- (1) Upon receipt of applications, division staff will review for eligibility, completeness, and compliance with the rule and application instructions.
- (2) In the event that the application is incomplete, the applicant will be notified by the division. The applicant must then submit the information requested in connection with an incomplete application in the timeframe established by the division. Applicants that do not respond in the established timeframe may be disqualified.
- (3) The division will determine whether an application is complete, and its decision is final.
- (4) Approval will be granted in two stages. Preliminary approval requires an application submission and division selection. Final approval requires an additional grant of authority submission as required in 19.1.10.16 NMAC before full division approval may be granted.

C. Application review. The division may consult appropriate agencies or experts for information and advice concerning technical aspects and evaluation of any application.

D. Additional criteria. The division may require applications meet additional criteria consistent with the goal of improving the energy efficiency, livability, or public health and safety of affordable housing in

underserved communities. [19.1.10.10 NMAC – N, 5/16/2023]

19.1.10.11 APPLICATION SUBMISSION CYCLE: Contingent upon availability of funds and state appropriations, the division will request applications on an annual cycle that aligns with the state government’s fiscal year. The division will determine and announce the application due date(s) for each application cycle no less than 60 days before each application due date. [19.1.10.11 NMAC – N, 5/16/2023]

19.1.10.12 TYPE ONE PROJECTS: APPLICATION REQUIREMENTS FOR AN INDIAN NATION, TRIBE, OR PUEBLO; COUNTY; MUNICIPALITY; OR THE NEW MEXICO MORTGAGE FINANCE AUTHORITY: Applications for CEED Program type one project grant funding shall include the following sections:

A. Applicant contact information. This section identifies the full legal name and address of the applicant entity, and the name, title, telephone number, and e-mail address for the person(s) authorized to negotiate a contract on behalf of the entity. Identify names, titles, telephone numbers, and e-mail addresses of person(s) to be contacted for clarification.

B. Project description. This section of the application shall clearly describe the community energy efficiency project that is being proposed, the selected geographic areas or property addresses where the project will take place, data detailing the justification for selection, how the project would support infrastructure improvements for affordable housing, and how the project would provide energy efficiency improvements to residential buildings in an underserved community.

C. Community description. This section of the application shall clearly identify the targeted underserved community and describe the energy-related needs

of the community and the benefits this community would receive if the proposed project was implemented.

D. Participant eligibility requirements. Applicants shall demonstrate the ability to determine which participant households within the proposed community meet the eligibility criteria. Applicants are responsible for determining if and certifying that a household is eligible for this program. Applicants must certify that the households receiving services have been verified for eligibility prior to the commencement of project work. The division reserves the right to audit project eligibility at the discretion of the division. Eligible households include:

- (1) residential housing units occupied by low-income individuals, couples, or families whose annual household adjusted gross income, as defined in section 62 of the federal Internal Revenue Code of 1986, as amended or renumbered, does not exceed two hundred percent of the federal poverty level, within an underserved community; or
- (2) residential housing units within an underserved community that otherwise meet the criteria for housing that is affordable to low-income persons,
- (3) low income verified by the applicant by any of the following methods:
 - (a) Direct income verification by the most recent tax returns of the household.
 - (b) Eligibility is assumed if, within five years of household application:
 - (i) person(s) within the household receives federal or state disability assistance;
 - (ii) person(s) within the household receives SNAP food benefits;
 - (iii) person(s) within the household receives TANF temporary assistance benefits;
 - (iv) person(s) within the household

receives medicaid or children’s health insurance program benefits;

(v)

person(s) within the household participates in a utility low-to-moderate income program.

(c)

Affordable housing verification can be evidenced by the fact that the resident receives low-income housing benefits or by mortgage or rental agreement.

(d)

Other methods of eligibility must be approved by the division prior to application submission.

E. Scope of work.

Applications shall detail the energy efficiency measures that will be implemented for the targeted households and demonstrate how these measures will address the energy-related needs of those households. This demonstration should include, as appropriate, the estimated reduction of energy use that will come from implementation of these measures, the estimated reduction of energy cost that will come from implementation of these measures, and the estimated reduction in carbon intensity of energy consumption. The description should also include the average impact by household along with the aggregated impact of the project, a timeline for implementation, the approach for maximizing project benefits, and metrics which will determine success in implementation. Metrics proposed in applications may be tailored to the individual project.

F. Partnerships.

Applications shall detail the partnerships that the applicant(s) have established to achieve project implementation, including:

(1) one or

more service providers, including subcontractors that will use local safety and code standards to implement the energy efficiency measures in targeted households and the experience of the service provider in working with the target underserved community. If the service provider has committed to employ apprentices from a registered apprenticeship program that promotes

diversity or provides paid internships to persons from the targeted underserved community, this should be detailed in this section; and

(2) one or

more community partners that have identified and worked with targeted households to implement the project and the experience of the community partner in working with the target underserved community. If the community partner has committed to employ apprentices from a registered apprenticeship program that promotes diversity or provides paid internships to persons from the targeted underserved community, this should be detailed in this section.

G. Budget.

Applications shall detail the project budget including anticipated expenditures for the entire project and additional funding sources that would complement the CEED program grant, if obtained. The project should strive to maximize benefits in the community to the greatest extent practicable and be reflected in the amount sought per household. The budget should include the total project amount, the average amount per household, administrative costs, partnership expenses, and any other applicable expenses that are being requested.

[19.1.10.12 NMAC – N, 5/16/2023]

19.1.10.13 TYPE TWO PROJECTS: APPLICATION REQUIREMENTS FOR THE NEW MEXICO MORTGAGE FINANCE AUTHORITY:

Applications for CEED program type two project grant funding shall include the following sections:

A. Applicant contact

information. This section identifies the name, title, telephone number, and e-mail address for the person or persons authorized to negotiate a contract on behalf of the applicant entity. Identify names, titles, telephone numbers, and e-mail addresses of persons to be contacted for clarification.

B. Project

description. This section of the application shall clearly describe the

community energy efficiency project that is being proposed, the address of the property or properties where the project will take place, how the project would support infrastructure improvements for affordable housing that would complement and not duplicate other energy efficiency programs in the state; and

(1) sets forth

the energy efficiency improvements to residential housing units, regardless of whether the residential housing units are located in an underserved community, provided that the residential housing units meet the eligibility criteria established by the MFA; and

(2) describes

how energy efficiency improvements to the residential housing units will help to reduce the energy burden of low-income households that may not qualify for other energy efficiency programs in the state.

C. Scope of work.

Applications shall detail the energy efficiency measures that will be implemented for the targeted households and demonstrate how these measures will address the energy-related needs of those households. The application should include, as appropriate, the estimated reduction of energy use that will come from implementation of these measures, the estimated reduction of energy cost that will come from implementation of these measures, and the estimated reduction in carbon intensity of energy consumption. The description should also include the average impact by household along with the aggregated impact of the project, a timeline for implementation, the approach for maximizing project benefits, and metrics which will determine success in implementation.

D. Partnerships.

Applications shall detail the partnerships that the applicant(s) have established to achieve project implementation, including:

(1) one or

more service providers, including subcontractors that will use local safety and code standards to implement the energy efficiency

measures in targeted households and the experience of the service provider in working with the target underserved community. If the service provider has committed to employ apprentices from a registered apprenticeship program that promotes diversity or provides paid internships to persons from the targeted underserved community, this should be detailed in this section; and

(2) one or more community partners that will identify and work with targeted households to implement the project and the experience of the community partner in working with the targeted underserved community. If the community partner has committed to employ apprentices from a registered apprenticeship program that promotes diversity or provides paid internships to persons from the targeted underserved community, this should be detailed in this section.

E. Budget.

Applications shall detail the project budget including anticipated expenditures for the entire project and additional funding sources that would complement the CEED program grant, if obtained. The project should strive to maximize benefits in the community to the greatest extent practicable and be reflected in the amount sought per household. The budget should include the total project amount, the average amount per household, administrative costs, partnership expenses, and any other applicable expenses that are being requested.

[19.1.10.13 NMAC – N, 5/16/2023]

19.1.10.14 APPLICATION EVALUATION CRITERIA FOR PROJECTS FROM AN INDIAN NATION, TRIBE, OR PUEBLO; COUNTY; OR MUNICIPALITY:

Applications will be scored by the division based on the following criteria that include but are not limited to:

A. Application completeness. The division will review the entire application to see that it contains all application requirements for the specific project type.

B. Capability to meet the scope of work described.

The division will consider the project timeline, appropriateness of energy efficiency measures to be implemented, qualifications of project team members including subcontractors and community partners, and the ability to complete the project financially if the total budget exceeds the amount requested.

C. Budgetary considerations.

The division will consider the total proposed budget as well as the average amount requested per household, prioritizing applications which propose to maximize project benefits in the community to the greatest extent feasible. The division may ask the applicant for additional documents to support the proposed budget if deemed necessary.

D. Energy reduction potential.

The division will consider the estimated reduction of energy use that will come from implementation of the proposed measures, the estimated reduction of energy cost that will come from implementation of the proposed measures, and the estimated reduction in carbon intensity of energy consumption from implementation of the proposed measures.

E. Geographic diversity.

The division will consider the geographic diversity of applications submitted in each application cycle.

F. Partnership experience.

The division will consider the experience of each community partner and service provider identified in the application in working with the targeted underserved community.

G. Workforce impact.

The division will consider whether the partners identified in the application employ apprentices from a registered apprenticeship program that promotes diversity or if they provide paid internship to persons from the targeted underserved communities.

H. Replicability.

The division will consider the value of the project as a demonstration project

to provide data for the effectiveness of implementing similar projects elsewhere.

I. Underserved community benefits. The division will consider the degree to which the project benefits an underserved community, including any non-energy benefits and health benefits provided by the project.

J. Additional criteria. If the criteria are published in the project solicitation, the division may also consider:

(1) the degree to which the project will protect public health, including protecting underserved communities from a public health threat;

(2) the degree to which the project will contribute to economic recovery; or

(3) the degree to which the project will reduce economic hardship of individual families due to the coronavirus COVID-19 pandemic.

[19.1.10.14 NMAC – N, 5/16/2023]

19.1.10.15 APPLICATION EVALUATION CRITERIA FOR PROJECTS FROM THE NEW MEXICO MORTGAGE FINANCE AUTHORITY:

Applications will be scored by the division based on the following criteria, that include but are not limited to:

A. Application completeness. The division will review the entire application to see that it contains all application requirements for the specific project type.

B. Capability to meet the scope of work described.

The division will consider the project timeline, appropriateness of energy efficiency measures to be implemented, qualifications of project team members including subcontractors and community partners, and the ability to complete the project financially if the total budget exceeds the amount requested.

C. Budgetary considerations. The division will consider the total proposed budget as well as the average amount

requested per household, prioritizing applications which propose to maximize project benefits in the community to the greatest extent feasible. The division may ask the applicant for additional documents to support the proposed budget if deemed necessary.

D. Energy reduction potential. The division will consider the estimated reduction of energy use that will come from implementation of the proposed measures, the estimated reduction of energy cost that will come from implementation of the proposed measures, and the estimated reduction in carbon intensity of energy consumption from implementation of the proposed measures. The division will also consider if the community served would not be likely to otherwise receive energy efficiency improvements through other state programs.

E. Geographic diversity. The division will consider if the application would promote the geographic diversity of the portfolio of community energy efficiency projects.

F. Partnership experience. The division will consider the experience of each community partner and service provider identified in the application in working with the targeted underserved community.

G. Additional criteria. The division will consider if the application would help create a portfolio of community energy efficiency projects that would best meet the goals of the CEED Block Grant Act.
[19.1.10.15 NMAC – N, 5/16/2023]

19.1.10.16 FINAL APPROVAL OF APPLICATIONS:

A. Indian nation, tribe, or pueblo: If applicable based on statute, prior to the division’s final approval of an application, an applicant that is an Indian nation, tribe, or pueblo must provide the division with a copy of a resolution enacted by the Indian nation, tribe, or pueblo that provides approval

for a specific CEED program grant and must include in the resolution the terms and conditions of the grant approved by the division. If such a resolution is not supplied to the division, final approval of the application shall not be issued.

B. County or municipality: If applicable based on statute, prior to the division’s final approval of an application, an applicant that is a county or municipality must provide a copy of the ordinance enacted by the county or municipality that provides the county’s or municipality’s formal approval for a specific CEED program grant and must include in the ordinance the terms and conditions of the grant approved by the division. If such a resolution is not supplied to the division, final approval of the application shall not be issued.

C. New Mexico Mortgage Finance Authority: (1)

Required grant of authority. If applicable based on statute, prior to the division’s final approval of an application from the MFA for a CEED program grant, the MFA shall provide the division with formal approval of the MFA to accept a specific CEED program grant. If this is not supplied to the division, final approval of the application shall not be issued.

(2) Project coordination. The division and the MFA shall coordinate the work done pursuant to CEED Program grants in the state to implement energy efficiency measures.

D. Contracts: For selected project applications, the division will approve and enter into contracts with grantees to implement selected community energy efficiency projects. All contracts shall have project performance measures, penalties, or other provisions that ensure the successful completion of the projects and shall require reporting on project performance, energy savings, and non-energy benefits resulting from the energy efficiency measures.
[19.1.10.16 NMAC – N, 5/16/2023]

19.1.10.17 FUNDING: Funding for CEED program projects may come from state, federal, other eligible funding sources, or a combination thereof.

A. If the funding source requires a set-aside allotment, entity categories shall have a percentage allotment of available funding reserved in any given fiscal year. If an allotment is not reached in any given entity category, the division will decide how to leverage the remaining funds against eligible projects.

B. If a set budgetary amount is identified in the application instructions, projects exceeding that amount which have provided justification and demonstrated need for the additional cost may request consideration for the increased amount, to be approved at the discretion of the division director.
[19.1.10.17 NMAC – N, 5/16/2023]

19.1.10.18 RECORD KEEPING AND REPORTING: Successful applicants receiving CEED program grants shall submit progress and expenditure reports, including a final report, in accordance with the requirements of their respective contract or agreement. Reporting requirements may be on a project-specific basis. The division will process reimbursements for costs that are incurred no more than once per month. The division will notify applicants as necessary of the funding source(s) applied to their projects and any associated reporting and compliance requirements associated with the funding. Applicants shall be responsible for satisfying any such requirements associated with an identified funding source as part of the grant solicitation or award in addition to the requirements of this part.
[19.1.10.18 NMAC – N, 5/16/2023]

19.1.10.19 ADMINISTRATIVE AND LEGAL REQUIREMENTS:

A. Environmental and cultural resources compliance for projects anticipating ground

disturbance. Successful applicants receiving CEED program funding shall provide a statement to demonstrate acknowledgement of compliance with all applicable federal, state, and local environmental and cultural resources laws.

B. Administrative compliance. Successful applicants receiving CEED program funding shall adhere to all applicable federal and state fiscal or procurement laws and any other applicable procurement procedures established by the division, in order to ensure that grant funds are expended in accordance with state and federal law including rules and regulations.

C. Program oversight. Successful applicants receiving CEED program funding shall be subject to periodic monitoring by the division to ensure compliance with applicable laws, rules, and regulations; the grant contract or agreement; and the program guidelines.

(1) Entities must cooperate fully with such evaluations, including, but not limited to, making all financial and program records available for inspection and personnel available for interview.

(2) If an entity materially fails to comply with the CEED program terms and conditions, whether stated in a law, statute, rule, regulation, assurance, application, or notice of award, the division director may take one or more enforcement actions, including terminating the grant, imposing specific conditions upon the award, or other remedies that may be legally available.
[19.1.10.19 NMAC – N, 5/16/2023]

19.1.10.20 VARIANCES: Written requests for a variance from any of the provisions of this rule shall:

A. state the reasons for the variance request;

B. identify each of the sections of this rule for which a variance is requested;

C. describe the effect the variance will have, if granted, on compliance with this rule;

D. describe how granting the variance will not

compromise, or will further, the purposes of this rule; and

E. indicate why the proposed variance is a reasonable alternative to the requirements of this rule.
[19.1.10.20 NMAC – N, 5/16/2023]

19.1.10.21 MAINTENANCE AND INSPECTION OF PUBLIC RECORDS ACT/CONFIDENTIAL INFORMATION: All information obtained regarding the project, including pre-applications, applications for funding, and reports are subject to disclosure, in response to requests received under provisions of the New Mexico Inspection of Public Records Act, Sections 14-2-1 to 14-2-12 NMSA 1978. Information that could reasonably be considered to be proprietary, privileged or confidential commercial or financial information must be identified as such by the applicant. The division will maintain the confidentiality of that information only to the extent permitted by law.
[19.1.10.21 NMAC – N, 5/16/2023]

History of 19.1.10 NMAC:
[RESERVED]

HIGHER EDUCATION DEPARTMENT

The New Mexico Higher Education Department approved and adopted, on 5/4/2023, to repeal its rule **5.7.22 NMAC, LEGISLATIVE ENDOWMENT SCHOLARSHIP PROGRAM** (filed 6/30/1998), effective 5/16/2023.

The New Mexico Higher Education Department approved and adopted, on 5/4/2023, to repeal its rule **5.7.23 NMAC, COLLEGE AFFORDABILITY GRANT** (filed 12/31/2007), effective 5/16/2023.

HIGHER EDUCATION DEPARTMENT

This is an amendment to 5.7.3 NMAC Sections 7 and 9 effective 5/16/2023.

5.7.3.7 DEFINITIONS:

A. “Department” means the New Mexico higher education department.

B. “Committee” means the health professions advisory committee of the department.

C. “Eligible educational loan” means government and commercial loans for actual costs paid for tuition, reasonable education expenses including fees, books, supplies and materials; and reasonable living expenses including room and board and other itemized expenses incurred during an individual’s enrollment at a post-secondary institution in a health occupation educational program. Expenses incurred must be related to the acquiring of said education.

D. “Eligible participant” includes primary care physicians, physician assistants, advanced practice nurses, registered nurses, dentists, pediatricians, optometrists and allied health care providers. Other specialties may be considered at the discretion of the committee.

E. “Extenuating circumstances” means circumstances not within the control of the recipient.

F. “Health professional shortage area” means an area of the state or a facility which has been determined by the health professions advisory committee as an acceptable practice site in which program participants may fulfill their commitment.

G. “Primary care physician” means a physician, allopathic or osteopathic with a specialty in family or general medicine, general internal medicine, general pediatrics and obstetrics and gynecology. Other specialties may be considered at the discretion of the committee.

[7/15/1998; 5.7.3.7 NMAC - Rn & A, 5 NMAC 7.3.7, 7/31/2005; A, 5/16/2023]

5.7.3.9 PARTICIPANT ELIGIBILITY: To be eligible for this program, an applicant must:

- A. submit an application containing biographical, educational and health profession education loan information including lender name, address, telephone number, loan numbers, loan balances, interest rates and remaining payments for review;
- B. be licensed or certified in the state of New Mexico to practice their profession;
- C. be a citizen of the United States or a permanent resident alien and a resident of New Mexico;
- D. provide service in a clinical practice of their profession full time ([40] 36 hours per week), the committee may consider part-time service, with prorated awards, on a case-by-case basis;
- E. practice in an approved health professional shortage area for a minimum period of two years, the committee may consider longer periods of service on a case-by-case basis;
- F. charge for their professional services at the usual and customary rates prevailing in the areas in which such services are provided, except that if a person is unable to pay such a charge, such person shall be charged at a reduced rate or not charged any fee;
- G. agree that, in providing health services, they will not, in the case of an individual seeking care, discriminate on the basis of the ability of the individual to pay for such care or on the basis that payment for such care will be made pursuant to the program established in Title XVIII (medicare) of the Social Security Act or pursuant to the program established in Title XIX (medicaid) of such act; and
- H. agree that they will accept assignment under Section 1842(b)(3)(B)(ii) of the Social Security act for all services for which payment may be made under Part B

of Title XVIII and will enter into an appropriate agreement with the state agency that administers the state plan for medical assistance under Title XIX of such act to provide service to individuals entitled to medical assistance under the plan.
[7/15/1998; 5.7.3.9 NMAC - Rn, 5 NMAC 7.3.9, 7/31/2005; A, 5/16/2023]

WORKFORCE SOLUTIONS, DEPARTMENT OF

This is an amendment to 11.1.2 NMAC Sections 18 and 20 to be effective 05/16/2023

11.1.2.18 JOB CLASSIFICATIONS AND DESCRIPTIONS: The job

classifications and descriptions for public works projects shall be as follows:

- A. Asbestos worker or heat and frost insulator: The preparation, alteration, application, erection, assembling, molding, spraying, pouring, mixing, hanging, adjusting, repairing, dismantling, reconditioning, maintenance, finishing or weatherproofing of cold or hot thermal insulations with such materials as may be specified when those materials are to be installed for thermal purpose in voids, or to create voids, or on either piping, fittings, valves, boilers, ducts, flues, tanks, vats and equipment, or on any hot or cold surfaces for the purpose of thermal control, or to be installed for sound control on mechanical devices; equipment; piping and surfaces related in an integral way to the thermal insulation of such mechanical devices, except for materials applied inside sheet metal ducts and fittings. This work also includes all labor connected with:
 - (1) insulation for: temperature control (excluding batt and blown-in); personnel protection or safety; prevention of condensation; fire proofing of building penetrations.

- (2) distribution of, cleanup of, and removal from surfaces as described above, which surfaces will be reinsulated with (excluding demolition which is covered under the laborers classification) the materials they apply.

- B. Boilermaker: Assembles prefabricated boiler parts and fittings to build steam boilers, tanks, vats and other vessels made of ten gauge or heavier metal, and installs catwalks, platforms, stairways and ladders which are erected on, and supported by storage tanks for liquid or gas when such tanks were erected by boilermakers, and installs all catwalks, platforms, stairways and ladders which are erected on and exclusively supported by a pressure vessel.

- C. Bricklayer, blocklayer, stonemason: Constructs partitions, fences, walks, fireplaces, chimneys, smokestacks, etc., using brick, structural tile, concrete and other types of structural block. This classification shall include the setting of stone, marble, slate, and artificial stone. All cutting, grouting and pointing of materials listed above shall be a part of this classification. May also build or repair brick, block, or stone retaining walls, cutting or placing of brick in mortar or other similar material.

- D. Carpenter or lather: Sets batterboards, builds and sets forms for concrete, or structural stud except as provided elsewhere. Builds and erects wood and metal products for the framing of structure or building, including bearing and non-bearing walls, framework in buildings, including partitions, floor and ceiling joists, studding, and rafters. Installs wood subflooring and hardwood flooring. Builds wood stairways, cabinets, steps, etc. Installs wood or premanufactured molding, paneling, doors, windows, etc., products and components related to office interiors - partitions, draperies, shelving, panels, doors, (metal, wood, etc.); including hardware; insulation around concrete slabs. Install pin metal or steel studs and wood furring

(except on roofs). Carpenters may shoot grades for surveying and attaches "sheetrock" and similar wallboard materials to walls and ceilings. Installs insulation material in walls, ceilings, and under floors of buildings where such insulation is not laid in cement or other plastic materials. Sets all woodworking equipment and operates same. Builds forms and structural element for pre-cast and pre-stressed concrete of all types and shapes on project site. Erects self-supporting scaffolding. Installs light iron and metal furring such as rods, channels and other bars or systems to which metal lath, rock lath or other materials used as a substitute for lath are to be attached. Installs metal lath, rock lath, and other materials used as a substitute for lath. Installs metal plastering accessories such as corner beads, door and window casing beads, metal picture mold, chair rails and other metal plastering accessories which are covered and serve as a ground or guard, except that metallic corner beads, when installed by using plastic material, shall be installed under the "plasterer" classification. Cuts wood materials using a stationary or portable power saw of one or more horsepower. Sharpens by use of files, all types of saws and saw blades used for the cutting of wood materials.

E. Carpenter

(millwright): Performs work necessary to assemble, level, align, secure, dismantle, adjust and maintain permanent stationary pumps, motors, generators, turbines, fans, compressors or torque converters which require precision leveling and alignment of such equipment. Installs reduction gear boxes, fluid drives, and speed increasers, including the connection of same to pump or compressor coupling. May align and secure other direct drive motors and machines requiring precision alignment. Installation, repair, or removal of all pulleys, sheaves, sprockets, gears and flywheels including all belts, cables and chains. Fabricates or installs all templates, soleplates, grout pads and wedge blocks for all machinery requiring

foundation or bolts. Installs all machinery, equipment and conveying devices in all classes of plants, factories, buildings, amusement parks, mills, shops stores, warehouses and construction or mining sites.

F. Carpenter

(piledriver): Rigs piling equipment, signals pile rig and guides pile and leads to point pile is driven, aligns and plumbs pile using tape and level during driving; splices piles before, during and after driving, cuts off piles, realigns piles after driving. In "piling" operations, handles wood, metal, sheetpiling, steel H-beams, concrete, or pipe, fastens them to cable of wench or piledriver, shifts timber piles with cant hook, cleans and points pile with axe or shovel. May drill pilot holes.

G. Cement mason

(composition or mastic - finishing machine operator): Finishes concrete to a specified finish and grade on footings, floors, walks, steps and all concrete surfaces by using tools of the trade such as trowels, floats, screeds, etc. Sets to grade and aligns screeds one board high. Sets to grade and aligns forms for sidewalk, curbs and gutters. Fabricate, cut, bend and tie reinforcing steel and mesh to be placed within the forms for sidewalk, curbs and gutters. Patching, filling of voids and rubbing of concrete to a specified finish, which requires the use of power tools and tools of the trade. Bushhammer and related finish procedure. Concrete saw operation when used on new construction to saw control joints. Vibrating screeds and rollers to achieve final level of concrete. Gunite, in cement mason operation, when it is less than one and one-half inches in thickness, the handling and control of the nozzle shall be the work of the "cement mason." All work involving the laser screed including the ride-on, laser-guided, vibratory screeding machine that establishes grades by laser which disperses concrete by auger and thoroughly vibrates and consolidates the concrete. Applies coloring material to concrete, also uses mastic to level and waterproof concrete, where tools of the trade are involved.

Operates troweling and floating machines which are used in the finishing of concrete. Cementitious insulation, screed wet material to required thickness and darby joints to leave a surface suitable for roofing.

H. Electrician

classifications and description - Outside:

(1)

Groundman (outside): Assists "lineman" and "equipment operator" in their tasks except that the "groundman" does not climb poles or towers.

(2) Equipment

operator (outside): Operates power driven equipment used in the erection and installation of materials and apparatus outlined under the "lineman" classification. Includes directional boring to install underground pipe, conduit or cable.

(3) Lineman

or technician (outside):

(a)

Performs all electrical construction work outside of isolated plants and the property lines of any given property, but not electric signs, and not street electrical decorations, except when messenger or guy wire is necessary for support and when fed and controlled from the street.

(b)

Street lighting, traffic signalization, and related wiring when fed and controlled from the street. All line work consisting of wood, concrete or metal (or substitutes therefore), poles or towers, including wires, cables or other apparatus supported therefrom. Line work in public, private or amusement parks.

(c)

All work necessary to the assembling, installation, erection, operation, maintenance, repair, control, inspection and supervision of all electrical apparatus, devices, wires, cables, supports, insulators, conductors, ducts and raceways when part of distributing systems outside of buildings, railroads and outside and directly related railroad property and yards. Installing and maintaining the catenary and trolley work on railroad property, and bonding of rails. All

underground ducts and cables when they are installed by and are part of the system of a distributing company, except in power stations during new construction, including ducts and cables to adjacent switch racks or substations. All outdoor substations and electrical connections up to and including the setting of transformers and all connecting of the secondary buses thereto, and all other related work.

(4) Cable splicer (outside): Splices or terminates power cables which are designed to be used for voltages above 2,000. Splices or terminate gas or liquid filled power cables, when part of a distribution system outside of buildings.

(5) Journeyman technician (outside): Limited to performing only street lighting, traffic signals, and wiring when fed and controlled from the street.

I. Electrician
classifications and descriptions -
Inside:

(1) Wireman or technician (inside): Installs wiring for automatic doors. Plans and executes the layout and installation of electrical conduit, switch panels, buss bars, outlet boxes, electrical wires and cables, lighting standards, lighting fixtures, receptacles, switches, and other electrical devices and apparatus necessary for the complete installation of wiring systems on commercial, industrial, and residential jobs, except electrical work which is incidental to the installation of elevators and escalators and is described under "elevator constructor". Analyzes proposed telephone and communication systems during the pre-installation stage to detect any basic conflicts in either equipment arrangements or plant facilities. Isolated trouble conditions in inoperable telephone communications systems. Installs a variety of equipment relating to telephone interconnect communication systems and devices including private branch exchange (PBX-PABX), key equipment and associated devices.

(2) Cable splicer (inside): Splices or terminates power cables which are designed to be used for voltages above 2,000. Splices or terminates gas or liquid filled power cables.

J. Low voltage electrician classification: Low Voltage Technician: Installs pathways (j-hooks) and wiring for low voltage cabling coax or fiber optic and terminates ends of the different types of cables levels and tests. This work includes voice, data security, access control, building automation and video surveillance. Repairs and services inter-communications systems, i.e. speakers, buzzers, microphones, signal lights or other units or components that are an integral part of such system.

K. Elevator constructor: Assembles and installs machinery and devices incidental to a complete elevator or escalator installation, including elevator cars, cables, counterweights, guide rails, hoisting machinery, etc. Installs all electrical wiring which is incidental to the installation of automatic elevators and escalators with the exception of power feed wires to the controller, which shall be classified as a task of "electricians". Steel trusses, girders, and supports for escalators, where riveted or welded and metal frames and bucks for elevator door openings shall be installed under the "ironworker" classification.

L. Elevator constructor helper: Assist elevator constructor in the performance of all phases of their work.

M. Glazier: Installs metal window and door frames without glass, curtain wall systems, window wall systems, cable net systems, canopy systems, structural glazing systems, unitized systems, interior glazing systems, photovoltaic panels and systems, suspended glazing systems, louvers, skylights, entranceway systems including doors and hardware, revolving and automatic door systems, patio doors, store front systems including the installation of all metals, column covers, panels and panel systems,

glass hand rail systems, decorative metals as part of the glazing system, and the sealing of all architectural metal and glass systems for weatherproofing and structural reasons, using vinyl, molding, rigger, lead, sealants, silicone and all types of mastics in wood, iron, aluminum, sheet metal or vinyl sash, doors, frames or any materials of the above systems as part of the glazing systems. Installs glass, including plate and window glass, mirrors, beveled plate, rough ribbed, wire, figured, colored, art and other type glass or substitute for glass when set in sash, frames, doors, skylights, etc., when set with putty, molding or other methods which are common to the glazing trade.

N. Ironworker:

(1) Journeyman ironworker: Installs reinforcing iron and steel for concrete structures. Installs fabricated steel members such as girders, columns, beams, and bracing in structures to form the steel framework. Installs metal stairways, catwalks, ladders, and decking. Installs ornamental iron and steel. Erects structural steel radio and television towers. Sets wall bearing steel bar joists in building structures. Performs layout work for rods within project area. Fastens rods in place with wire or fasteners; bends or adjusts as required. Selects and places steel bars or spirals in concrete forms to reinforce concrete; fastens rods together with wire or patented fasteners; may cut rods with hack-saw or oxyacetylene torch. May bend rod, using rod bending machine, performs layout work and proper placing of steel in the concrete forms. May prefabricate reinforcement assembly for placement complete in forms. Works as a member of a group that raises and places fabricated or precast concrete beams or structural steel members, such as girders, plates, columns, and units them permanently to form a completed structural steel framework. Heats rivets, signals erection crane, splices cables, rigs equipment. May include dismantling and erecting large units of equipment. May suspension bridge cables.

Erects, trims, and fits together by means of bolts and clamps, iron grills, grating, and special stairways. Erects ornamental enclosures and other iron work not included in structural ironwork. Fastens ironwork to walls of buildings by means of bolts, brackets or anchors. Fastens newel posts, balauzer, and other parts of stairways by fastening to supports or embedding them in sockets. Forges, welds, drills and cuts as needed.

(2) Probationary

Ironworker: Probationary ironworkers shall be paid at the rate of eighty percent of the journeyman ironworker wage rate and may only work under this classification for no more than 30 days.

O. Painter (brush):

Applies paint, stain, lacquer, varnish, etc., to surfaces in, on or around building structures, using appropriate brushes, rollers, sprayers or trowels. Does preparation of surfaces to receive paint, including sandblasting, small patching, sanding and spackling. Mixes and prepares paints and other materials which are to be applied by painters. Seals, sands and varnishes hardwood flooring. Paints structural steel framework of bridges; guard rails and cables of bridges; and all other surfaces requiring paint. May erect and rig stages and platforms from which painters are to work, including swing stage scaffolding, bosun's chairs, mechanical, staging, cornice or roof hooks, scaffolding, and other devices and apparatus necessary to provide safe forking conditions for painters. Operates gasoline-powered compressor striping machine and walking type sprayers for striping parking lots, etc.

P. Paperhanger:

Applies wallpaper, fabric, or other materials used in the same manner as wallpaper, to the interior of rooms. Performs work necessary to prepare surfaces to receive wallpaper or other similar material including removal of old wall paper.

Q. Drywall finisher

or taper: Prepares drywall type construction to receive paint, texture, etc. by pointing, taping, bedding,

texturing, skimming, wire brushing, stripping, wax, or acid application and finishing.

R. Plasterer: Applies interior and exterior plastering of cement, stucco and stone imitation or any patented materials when cast. Applies acoustical plaster or materials used as substitutes for acoustical plaster, as well as the preparatory pointing and taping of drywall surfaces to receive these finishes. Applies scratch and brown coats on walls and ceilings where tile, mosaic or terrazzo is to be applied. Molds and sets ornamental plaster and trim and runs ornamental plaster cornice and molding. Install metal corner beads when stuck by using plastic materials. Applies gunite, in plastering operations, when it is one and one-half inches in thickness, the handling and control of the nozzle should be the work of the plasterer. Spray fire proofing material on steel beams or columns. Trowel or sprayed on foam insulation on walls before stucco, etc. Patching outside concrete walls.

S. Plumbers and pipefitters: Fabricates and installs piping, and tubing systems, including installation of all necessary hangers and supports, which are to conduct water, steam, air, and other fluids or gases in and around buildings. Also installs vacuum piping systems. Installs drainage and sewage lines (laterals) from buildings to the point of attachment to mains. Installs plumbing fixtures, such as sinks, faucets, drinking fountains, commodes, etc. Installs refrigeration equipment. Performs cutting, welding and burning which is incidental to the work of plumbing or pipefitting, except as is described under "lead burner". May do other work in connection with the installation and testing of heating and cooling apparatus and control devices.

T. Plumbers and pipefitters (lead burner): Performs cutting, burning and welding operations on lead pipes, tanks, reservoirs, etc.

U. Roofer:

(1) Roofer

journeyman: installs, [Installs] alters or repairs roof systems on new or existing roof decks to create a weatherproof and waterproof protective membrane, with or without insulation, using asphalt, pitch, tar, sealants, single ply or multiple ply materials, felt, shakes, shingles, roof tile, slate, coatings, urethane, urethane foam, metal or any other approved roofing materials, including the preparatory work necessary to bring such surfaces to a condition where roofing can be installed, sealed, or repaired. Includes cutting, shaping fabricating and installing or wood, metal or other approved materials for fascias, soffits, copings, cornices, canals, flashing, gutters, leaders, rainwater downspouts, pans, prefabricated chimneys, at or near roof lines, metal flues, prefabricated roof curbs. Installs roofing insulation, and other necessary waterproofing and damp proofing on walls and floors below ground. May perform other water-proofing operations using methods which are common to the roofing trade. Handles all roofing materials at job site and performs all roofing clean-up. Tears off old roof when roof is to be replaced.

(2) Roofer

Helper: Roofer helpers shall be paid at the rate of sixty percent of the journeyman roofer wage rate. There is no restriction on the type of work that the roofer helper may perform. The ratio of helper to journeyman is one helper for every three journeymen.

V. Sheet metal worker:

Fabricates and installs heating and air conditioning ducts and other ductwork. Fabricates and installs hangers, brackets, etc., used in the installation of sheet metal, and installs grills, registers, etc., which are part of duct systems. Fabricates or installs architectural sheet metal in and around buildings, including metal panel systems, canopies, awnings, exhaust louvers, and cupolas. Installs warm air furnaces except where necessary piping for gas or oil is performed under the plumbing and pipefitting classification. Performs the testing, measuring, adjusting of

air and hydronic flows in a building to meet design specifications and local building codes to ensure thermal comfort, indoor air quality, and system energy efficiency are optimized, performs periodic inspections of fire, smoke and combination fire and smoke dampers and conducts differential pressure measurements across, and force testing of stairwell egress doors and performs the functional testing and general required maintenance of smoke control systems and is responsible for recognizing the proper installation, application, and usage of smoke control systems. May install other heating and cooling devices which are in connection with duct systems.

W. Soft floor layer:

Cleans and prepares floors and other surfaces to which linoleum and floor tile is to be applied. Lays carpets. Applies appropriate cement to floors and surfaces and installs materials such as sheet rubber, sheet vinyl, asphalt tile, cork tile, linoleum, rubber tile, artificial turf and other resilient floor coverings. Rolls finished floors and surfaces to smooth and press down coverings which have been applied. Mixes and pours liquid seamless floor covering on floor, gyms, etc. Installs decorative or protective trim to and adjoining the above materials including the attaching of cap strips, nosing, and slats.

X. Sprinkler fitter:

Fabricates, assembles, and installs all piping and auxiliary devices which are necessary for the complete installation of sprinkling systems for fire protection in buildings.

Y. Tile setter: Applies glazed, unglazed, mosaic, and other ceramic tiles which are used as a surface on floors, walls, ceilings and other surfaces and which must be set to a specified grade. Applies and floats all setting beds which these tiles are set into. Levels and plumbs these tiles to the specified grade.

Z. Tile setter helper:

Handles and mixes materials to be used in floating beds, generally assists tile setter by delivering materials, cleaning and caring for tools.

AA. Power equipment operators - group I performs the following tasks or operate the following equipment:

(1) Concrete paving curing machine (Bridge type): Operates self-propelled machine and operates pump on the machine which sprays curing compound on freshly poured concrete. May oil, grease or otherwise service and make necessary adjustments to equipment as needed.

(2) Fireman: Hand strokes or fires by gas or oil, a portable or semi-portable steam boiler, such as is used on steam shovels, pile drivers, cranes, dredges, hoisting equipment and asphalt plants.

(3) Oiler: A service man who lubricates mechanical equipment, gives signals to operator when applicable, changes oil, greases and filters, refuels equipment. May assist mechanic, head oiler or operator in assembling, setting up, adjusting, maintaining (including operation of steam cleaners) and repairing all types of construction equipment. May, when servicing equipment, drive a truck which carries fuels, oils and greases. May use the tools of the trade at and under the direction of a mechanic, head oiler or operator.

(4) Screedman: Manipulates handwheels or other devices to raise or lower screeds of asphalt machine. Regulated width of screed and depth of material. May oil, grease, or otherwise service and make necessary adjustments to equipment as needed.

(5) Scale operator such as (bin-a-batch).

(6) Tractor (under 50 drawbar h.p. without attachments): Operates a small diesel or gasoline powered rubber-tired, farm -type tractor, with no attachments, to pull by drawbar, seed drills, etc. May oil, grease, or otherwise service and make necessary adjustments.

(7) Industrial locomotive brakeman: A semi-skilled operator who hooks and unhooks various cars, throws switches, operates car dumps, signals

locomotive operator, manipulates controls of loading devices (hopper conveyors, etc.) and assists locomotive operator. May oil, grease or otherwise service and make necessary adjustments.

(8) Helpers: mechanic, welder, grease truck and crane oiler.

AB. Power equipment operators - group II performs the following tasks or operate the following equipment:

(1) Tractor (under 50 drawbar h.p. with attachments): Operates a small diesel or gasoline powered rubber-tired or crawler tractor. May be used with attachments such as dozer, tampers, posthole diggers, postdrivers, etc. May be used to pull brooms, sleds, trailers, etc. May oil, grease or otherwise service and make necessary adjustments to equipment as needed.

(2) Air compressor (315 c.f.m. and over): Keeps compressor fueled, oiled, clean and ready for service. Keeps oilers and air lines working properly, full of proper oil, sets and checks valves on oiler, sets and checks air pressure, cut off valve and gauges, checks and maintains air tools, keeps moisture drained from air tanks, checks governor, sets throttle to avoid compressor damage. Checks and repairs air brakes on compressor and repairs air hose.

(3) Pumps (six inch intake or over): Operates water pump which pumps water for roadway, prewetting, pumping by transmission line from water source to job area or other use. May oil, grease, prime, or otherwise service and make necessary adjustment to equipment as needed.

(4) Mixer, concrete (one cubic yard and less): Operates a small, portable concrete mixing machine to mix sand, gravel, cement and water to make concrete. Starts power unit and does or oversees loading of materials. Controls the mixing by levers to discharge concrete from drum. This small machine is sometimes charged by shoveling in the proportions of materials directly

into the mixing drum and some others have a skip into which materials are shoveled before being hoisted into the mixing drum. Rinses drum with water to remove adhering concrete. May oil, grease or otherwise service and make necessary adjustments as needed.

(5)

Roller (sheepsfoot or pneumatic self-propelled without dozer): Operates a diesel or gasoline driven self-propelled machine used for compaction. May oil, grease or otherwise service and make necessary adjustments to equipment as needed.

(6) Service

truck operator (head oiler-type B or C work): An operator of a truck equipped with high pressure grease and oil dispensing equipment. Maintains service records and performs preventative maintenance and visual inspection. Reports vehicle discrepancies to foreman or mechanic.

(7) Screening

plants: Operates a screening plant to sort and segregate material. Regulates flow of material through chute to screener. May perform other related work. May oil, grease, or otherwise service and make necessary adjustments or repairs to equipment as needed.

(8) Belt type

conveyors (material and concrete): Operates an endless belt-type conveyor that is a machine designed so the belt operates between a head pulley and tail pulley which are located on the opposite ends of the conveyor frame. The belt rides on carrier rollers so formed in shape and positioned that the belt forms a trough to carry the loose material. The operator starts and stops the belt as necessary, maintains the carrier rollers and belt splices, regulates belt speed for correct loading for efficient operation and belt life, maintains belt alignment to insure the belt is not loaded on one side which results in excessive belt wear. Conveyors are used efficiently in confined areas particularly in the placement of concrete with portable type conveyors. (Conveyor systems which

are part of a plant shall be operated by the plant operator). May oil, grease or otherwise service and make necessary adjustments.

(9) Concrete

paving joint or saw machine or grinder span type: Operates a self-propelled machine which travels on paving form or pavement and cuts grooves for expansion and contraction joints in freshly poured concrete or cured pavement. May oil, grease or otherwise service and make necessary adjustments to equipment as needed.

(10) Hoist

(one drum): Operates a single drum machine powered by air, electric, gasoline or diesel. Actuates valves, levers, brakes or other control devices which regulates linepull, hold or line release in accordance with signals received by sight, hearing or other signaling devices as necessary. Machines are used for various pulling and hoisting operations on construction work such as to hoist and lower material in various elevations or to hoist and lower material in construction and assembly. May oil, grease or otherwise service and make necessary adjustments.

(11) Air tugger**(12)** Elevating

belt type loaders: Operates a self-propelled or tractor-drawn elevating grader, bucket, or belt loader. May oil, grease or otherwise service and make necessary adjustments to equipment as needed.

(13) Lumber

stacker: Operates machine designed to straddle bundles or stacks of lumber or other objects suitable to be handled by this specialized machine, hoists and moves materials to various locations. May oil, grease or otherwise service and make necessary adjustments.

(14) Winch

truck: Drive a heavy duty gasoline or diesel truck equipped with a winch and gin poles or other hoisting devices. Shifts winch gears in accordance with signals from helper on ground. May service and make necessary adjustments for proper operation of equipment.

(15) Front

end loader (under two cubic yards): Operates a runner tired or crawler-type tractor with an attached bucket on front end. Machine is used to load materials from stockpiles, excavation, charging batch plants, loading trucks. May oil, grease, or otherwise service and make necessary adjustments to equipment as needed.

(16) Fork lift:

Operates a machine powered by gasoline, diesel or electric power that is equipped with a vertical hoisting and lowering device that may be canted forward and reverse of vertical center by means of control devices. Machine is equipped with fork lifting and designed to slide under loads, machine is used for lifting and transporting loads. May oil, grease or otherwise service and make necessary adjustments.

(17) Power

plant (electric generator or welding machine): Operates a diesel or gasoline driven machine that generates A.C or D.C. current of 15 K.W. or more used for lighting and electrical power. Keeps cycle and synchronization control board in adjustment adhering to manufacturers specifications. Keeps governor relay in adjustment. Operates welding machine in bank, for arc-welding, uses armature dressing stone as required and resets welding heats as required. May oil grease or otherwise service and make necessary adjustment. May perform other related duties. (Electric power plants, when the principal use is to furnish electric power for camp sites, shall be excluded).

(18) Cat head

winch

(19) Oiler with

CDL

(20) Concrete

curbing machine

(21) Inside

and outside material and personnel elevators

(22) Industrial

locomotive motorman: An operator of gasoline, diesel or electric powered railroad locomotive used to push, pull or switch railroad cards of various

designs loaded with muck, concrete, aggregate, or other applications suitable for rail transport. May oil, grease or otherwise service and make necessary adjustments.

AC. Power equipment operators - group III performs the following tasks or operate the following equipment:

(1)

Bituminous distributors

(2) Boilers

(3) Asphalt

Retort heater: Operates a stationary or portable piece of equipment designed to apply heat to a tank, tank car, or tank truck containing asphalt. Starts fire, controls heat applied to tank by regulating burners. Starts, stops and controls flow of recirculating pumps. Maintains desired temperature in asphalt, regulates valves for discharge of asphalt from tank. May oil, grease or otherwise service and make necessary adjustments to equipment as needed.

(4) Mixer,

concrete (over one cubic yard): Operates a large, portable or sometimes stationary concrete mixing machines to mix sand, gravel, cement and water to make concrete. Starts power unit and oversees the loading of proper proportions of materials into the skip and then manipulates levers that control feeding of material into mixing drum. Starts drum rotating to mix materials; manipulates lever to discharge concrete from drum, either by tilting drum forward or by opening a discharge chute. Rinses drum with water to remove adhering concrete. May oil, grease, or otherwise service and make necessary adjustments to equipment as needed.

(5) Concrete

paver mixer (single drum): Operates a paving machine that mixes and dumps concrete, the machine consisting primarily of a skip, concrete mixer, and a boom equipped with a traveling bucket and a power plant, all mounted upon a crawler or wheel unit. May oil, grease or otherwise service and make necessary adjustments to equipment as needed.

(6) Drilling

machine (cable, core or rotary): Sets

up and operates a portable cable, core, diamond or rotary drill for the purpose of drilling water wells or exploratory drilling. May drill pilot holes for piling. May oil, grease, or otherwise service and make necessary adjustments.

(7) Shaft and

tunnel type equipment:

(a)

Refrigeration: Operates a plant designed to circulate brine or other refrigerant through piping system to freeze specified areas for purpose of drilling, trenching, boring, blasting and stabilizing formations to permit such operations. Maintains pressures, vacuum, intercooling and other related functions. May keep brine or other refrigerants at proper levels in supply tanks.

(b)

Slusher operator: Operates hoist as described under one or two drum hoist to raise and lower, drag and release a bucket similar to dragline bucket without a bottom in it. To move loose material into dump chute or other purposes. Sheaves to control line direction are usually secured to roof, side or face of excavation by rock bolts. May oil, grease or otherwise service and make necessary adjustments.

(c)

Jumbo form or drilling stage: Operates a specialized machine usually mounted on rails or rubber-tired wheels which has surrounding it, expandable, retractable forms. Drilling stage consists of one or more drilling stages from which drilling operations at the phase are performed for blasting. The operator positions machine for drilling, removes it for blasting, connects and disconnects air and water lines from the source as needed. May oil, grease or otherwise service and make necessary adjustments.

(8) Trenching

machine: Operates a power-driven machine that digs trenches for sewer, water, drainage, oil and gas pipelines, footings, etc. The trenching machine is mounted on crawler treads or rubber tires with the digging equipment usually consisting of an

endless chain or wheel or edged buckets that excavate and deposit the material on a conveyor belt which in turn discharges the material at the side of the trench. May oil, grease or otherwise service and make necessary adjustments to equipment as needed.

(9) Pumpcrete

machine: Operates a concrete pumping machine that pumps fresh concrete from mixer to forms that mold fresh concrete. Sets up pump, operates power unit of pump and allows fresh concrete to flow into hopper or pump. May oil, grease or otherwise service and make necessary adjustments to equipment as needed.

(10) Gunite

machine: Operates a machine designed to pump dry sand and cement mixture forced under high air pressure to various areas specified for gunite treatment. May oil, grease or otherwise service and make necessary adjustments.

(11) Concrete

slip-form paving machine: Operates a self-propelled machine with long forms attached which move along with the machine. Machine vibrates, screeds, spreads and finishes the surface. Operates a roto-mill machine (machine with plane to smooth). May oil, grease or other service and make necessary adjustments to equipment as needed.

(12)

Mechanical bull floats

(13) Concrete

paving spreader: Operates a self-propelled machine that rides on the paving forms. Operates controls to spread fresh concrete evenly over subgrade or in concrete forms. May oil, grease or otherwise service and make necessary adjustments to equipment as needed.

(14) Concrete

paving finishing machine: Operates self-propelled machine which travels on subgrade or paving forms and levels fresh concrete to approximate grade and contour by pushing and pulling screeds over the surface. May oil, grease or otherwise service and make necessary adjustments to equipment as needed.

(15) Subgrade or base finisher: Sets and adjusts machine to grade or string line. Operates necessary controls for grading, cutting and finishing subgrade or treated and untreated base material. May oil, grease, or otherwise service and make necessary adjustments to equipment as needed.

(16) Concrete paving sub grader: Operates a machine that finishes subgrade.

Machine runs on concrete paving forms or subgrade and is equipped with knives or blades to loosen material and eject same from subgrade. May oil, grease or otherwise service equipment as needed.

(17) Concrete paving form grader: Operates a machine that controls subgrade under forms used in concrete paving and is equipped with knives or blades to loosen dirt and eject same from the form line grade. May oil, grease or otherwise service and make necessary adjustments to equipment as needed.

(18) Concrete paving gang vibrator: Operates a self-propelled machine which travels on paving forms and operates levers to lower multiple vibrator heads into freshly poured concrete. May oil, grease or otherwise service and make necessary adjustments to equipment as needed.

(19) Concrete paving longitudinal float: Operates a self-propelled machine which travels on paving forms and moves levers to strike off the concrete to correct elevation. Machine has one or more screeds traveling longitudinally. Operates milling machine (makes ridges). May oil, grease or otherwise service and make necessary adjustments to equipment as needed.

(20) Bituminous finishing machines

(21) Certified forklift

(22) Asphalt distributor: Sets spray bar and operates valves and levers of distributor to control distribution of oil or bituminous liquid, also may drive truck on one-man operated

distributor. May oil, grease or otherwise service and make necessary adjustments to equipment as needed.

(23) Asphalt paving or laydown machine: Manipulates controls of paving machine that spreads and levels asphaltic concrete. May oil, grease, or otherwise service and make necessary adjustments to equipment as needed.

AD. Power equipment operators-group IV performs the following tasks or operates the following equipment:

(1) Front end loader (two through ten cubic yards): Operates a rubber tired or crawler-type tractor with an attached bucket on front end. Machine is used to load materials from stockpiles, excavation, charging batch plants, loading trucks. May oil, grease, or otherwise service and make necessary adjustments to equipment as needed.

(2) Rollers steel wheeled (all types): Operates a self-propelled machine with steel flat wheels which is used to compact and smooth earth fills, flexible bases, bituminous roads surfaces. May oil, grease or otherwise service and make necessary adjustments to equipment as needed.

(3) Bulldozer: Operates a tractor with a concave steel scraper blade mounted in front of the chassis to level, distribute and push earth; regulates height of blade. Uses tractor as a pusher in loading earth carrying equipment. May oil, grease or otherwise service and make minor repairs to equipment as needed.

(4) Scrapers (motor or towed): Operates a tractor or self-propelled machine to pull a steel bowl-like scoop (scraper) mounted on wheels that scrapes up earth and transports it to a designated place; manipulates necessary scraper controls. May oil, grease or otherwise service and make necessary adjustments to equipment as needed, twin bowl scraper and quad eight or nine pushers (\$.35 over base rate). Three bowl scraper (\$.60 over base rate).

(5) Batch or continuous mix plant (concrete, soil, cement or asphalt): Sets up and operates a large portable or stationary plant for batching concrete, soil-cement or asphaltic materials and aggregates; responsible for control of mixture and plant. May oil, grease, or otherwise service and make necessary adjustments to equipment as needed.

(6) Bobcat with hydraulic backhoe with buckets up to one (1) and one quarter cubic yards.

(7) Backhoes with buckets up to $\frac{3}{4}$ cubic yard-Type B or C work.

(8) Small Articulating Truck

AE. Power equipment operators-group V performs the following tasks or operates the following equipment:

(1) Concrete paver (double drum): Operates a paving machine that mixes and dumps concrete, the machine consisting primarily of a skip, concrete mixer and a boom equipped with a traveling bucket and a power plant, all mounted upon a crawler or wheel unit. May oil, grease, or otherwise service and make necessary adjustments to equipment as needed.

(2) Hoist (two drums): Operates a two drum machine powered by air, electric, gasoline or diesel. Actuates valves, levers, brakes or other control devices which regulates linepull, hold or line release in accordance with signals received various pulling and hoisting operations on construction work such as: to hoist and lower material in various elevations; to hoist and lower material in construction and assembly. May oil, grease or otherwise service and make necessary adjustments.

(3) Cat cranes

(4) Hysters

(5) Forklifts over 20,000 lbs. lifting capacity

(6) Auto fine grader

AF. Power equipment operators-group VI performs the following tasks or operates the following equipment:

(1) Mucking machine (all types): Operates a machine designed especially to work in confined spaces, generally operated by air or electric power to minimize air pollution, underground. Rocker shovel types have front-mounted buckets that are loaded by being pushed into the material and lifted over the machine and dumped into an attached car, or lifted to a point that gravity dumps the material from the back of the loaded bucket onto a conveyor belt that runs over the machine to a dumping point or into attached car. This type mucking machine usually operates on tracks or are crawler mounted. The bucket is hinged to a boom which in turn is hinged to a turntable on the main frame which allows the main frame to travel in one direction while the swinging action of the bucket can reach out to the sides to remove such loose material generally called muck. These machines are especially suited for underground, emptying into conveyors or into cars. May oil, grease or otherwise service and make necessary adjustments.

(2) Tractor with hydraulic backhoe.

(3) Backhoes with buckets up to one and one quarter cubic yards- Type B or C work.

(4) Service truck operator (head oiler-type A or H work): An operator of a truck equipped with high pressure grease and oil dispensing equipment, which may have gasoline and diesel fuel tanks, who lubricates, changes oil and filters and refuels equipment. Maintains service records and performs preventative maintenance and visual inspection. Reports vehicle discrepancies to foreman or mechanic.

(5) Motor grader (rough): Operates motor grader. Blade is mounted on a carrying and turning circle under the frame of the machine. Equipment is used in leveling dirt to grade and in laying asphalt and flexible base materials. May oil, grease or otherwise service and make necessary adjustments to equipment as needed.

AG. Power equipment operators-group VII performs the following tasks or operates the following equipment:

(1) Steam engineers

(2) Front end loader (over 10 cubic yards): Operates a rubber tired or crawler-type tractor with an attached bucket on front end. Machine is used to load materials from stockpiles, excavation, charging batch plants, loading trucks. May oil, grease, or otherwise service and make necessary adjustments to equipment as needed.

(3) Concrete pump (snorkel type)

(4) Mining machine

(5) Concrete batching plant operator

(6) Asphalt plant operator

(7) Crushing plant operator- Operates a crusher to control flow of materials through plant. Regulates flow of rock through chute to crusher. May perform other related work. May oil, grease, or otherwise service and make necessary adjustments or repairs to equipment as needed.

(8) Hot plant operator

(9) Roof Bolting Machine

(10) Shuttle Car Operator

AH. Power equipment operators-group (VIII-All shovel type equipment that does not require a State of New Mexico crane license) performs the following tasks or operates the following equipment:

(1) Side boom: Operates a diesel or gasoline powered rubber-tired or crawler-tractor on which is mounted a side boom attachment with necessary hoisting devices. Positions tractor, manipulates control levers, clutches, brakes, and other controls to raise or lower boom, raise or lower load. By tractor motivation, loads may be transported to desired location. May oil, grease or otherwise service and make necessary adjustments.

(2) Crane (crawler or mobile under ten tons): Operates crane type equipment to hoist and move materials and perform other related operations. Such equipment is used for pouring concrete, setting steel or other miscellaneous tasks for which crane type equipment is required. May oil, grease or otherwise service and make necessary adjustments to equipment as needed.

(3) Backhoes with buckets over one and one quarter cubic yards- Type B or C work.

(4) Backhoes over a 3/4 yard bucket—Type A or H work.

(5) Derrick, cableway: Operates guy, stiff leg or other derrick, cableway. (Derricks are distinguished from cranes by being stationary and being supported by cables, or structural member, but may be repositioned to higher levels as construction progresses). Derricks use a hoist as described in building hoists, two drums and up, but may vary with different designs, as the source of power for line pull, hold or release through sheaves on the particular derrick or cableway for lifting and moving materials to higher, lower, or the same levels in construction. The operator controls in accordance with signals received by sight, hearing or other signaling devices. If necessary may oil, grease or otherwise service and make necessary adjustments.

(6) Track or excavator backhoe

(7) Pipemobile

(8) Pile driver: Operates the basic machine, and applicable hammer controls to which pile driving attachments are attached. Pile driving attachments normally consists of leads, to service as a guide for the weight, hammer or extractor. The drop hammer is a weight hoisted by cable along the leads and released to fall by gravity onto the pile. Steam, compressed air, hydraulic, sonic and diesel hammers ride along the leads resting on top of pile or pile cap striking blows on the down stroke of the hammer, from its power source,

onto the pile being driven. The extractor is a steam or air hammer that strikes its blows on the upstroke of the hammer equipped with devices for attachment onto the piling to be pulled. May drill or jet pilot holes. May oil, grease or otherwise service and make necessary adjustments.

(9) Mine hoists: Operates hoists used in mining operations and in compliance with the department of mines regulations. Hoists and lowers men and materials in shafts and inclines in accordance to authorized signals. May oil, grease or otherwise service and make necessary adjustments.

(10) Motor grader (finish)

(11) Mechanic and welder: Assembles, sets up, adjust and maintains and repairs all types of construction equipment, such as internal combustion engines, air compressors, pumps, concrete mixers, heavy earth moving equipment, rock crushers and paving equipment.

(12) Mole operator: Operates a horizontal boring machine which is the vertical rotating cutter head which deposits muck onto conveyor that passes over the machine to a dump point. The operator controls the elevation and direction and travel by hydraulic rams. The machine is a specialized piece of machinery for tunnel boring. May oil, grease or otherwise service and make necessary adjustments.

(13) Mobile pipeline inspection camera

(14) Operator or rigger

(15) Crane inspector

(16) Continuous mining machine

(17) VAC jet rodder

(18) Equipment instructor

(19) Heavy equipment robotics operator or mechanic

(20) Ultra high pressure waterjet cutting tool system operator/mechanic

(21) Vacuum blasting machine operator or mechanic

(22) Master environmental maintenance mechanic

AI. Power equipment operators-group IX: operate hydraulic cranes with less than 150 feet of boom and over 10 tons but less than 100 tons lifting capacity including boom trucks (NM, Class II, license required).

AJ. Power equipment operators-group X: operate hydraulic cranes and boom trucks (100 tons and over); cranes and draglines with booms and jibs over 150 feet through 199 feet; \$.75 above base rate per hour additional; cranes 200 feet and over \$1.00 additional; tower cranes (NM, Class I Crane License Required).

AK. Truck drivers group I:

(1) Pickup truck 3/4 ton or under: Drives a light truck for transporting small loads of construction materials, tools or equipment. May service and make necessary adjustments for proper operation of equipment.

(2) Service station attendant: Maintains service station. Washes, lubricates, fuels and otherwise services vehicles and equipment. Changes and repairs tires and tubes. Operates and maintains service station equipment.

(3) Swamper or rider helper: Assists truck driver. Shares with a driver the duties of loading and unloading a truck, shifting articles about on truck, handling cumbersome articles and may drive to relieve driver.

AL. Truck drivers-group II:

(1) Bus or taxi: Drives a bus or taxi to transport employees to and from construction project. May oil, grease, or otherwise service and make necessary adjustments to equipment as needed.

(2) Dump or batch truck: Drives a truck, under eight cubic yards, for transporting loads of construction material. May service and make necessary

adjustments for proper operation of equipment.

(3) Flatbed (bobtail) two ton and under: Drives a truck for transporting loads of construction materials or equipment. May load and unload truck. May service and make necessary adjustments for proper operation of equipment.

AM. Truck drivers-group III:

(1) Dump trucks (including all highway and off highway): Drives a truck, eight cubic yards and under 16 cubic yards, for transporting loads of construction material. May service and make necessary adjustments for proper operation of equipment.

(2) Tank truck: Drives a truck or truck with trailer or semi-trailer, on which is mounted a tank, under 3,000 gallons, for transporting loads of liquid products or construction material. May oil, grease or otherwise service and make necessary adjustments to equipment as needed.

(3) Flatbed (bobtail) over two tons: Drives a truck for transporting loads of construction materials or equipment. May load and unload truck. May service and make necessary adjustments for proper operation of equipment.

AN. Truck driver-group IV:

(1) Distributor (asphalt): Only drives truck equipped with tank and controls for regulating distribution of bituminous materials. Does not operate levers or valves (See Power Equipment Operators-Group III). May oil, grease or otherwise service and make necessary adjustments to equipment as needed.

(2) Heavy tire repairman

(3) Lumber carrier: Drives truck that hauls logs and lumber with truck trailer or bobtail.

(4) Transit mix or agitator (two or three axle bobtail equipment): Drives a truck upon which is mounted a concrete mixer.

Drives truck under loading hopper to receive sand, gravel and cement. Fills water tank and starts and stops mixer. Drives truck to location for unloading. Dumps concrete into chute leading to forms. Cleans mixer drum. May service and make necessary adjustments for proper operation of equipment.

(5) Scissor truck

(6) Trailer or semi-trailer dump: Drives a truck to which is attached a trailer or semi-trailer dump used in transporting construction materials.

(7) Field equipment servicemen

AO. Truck driver-group V:

(1) Dumpster or dumptr: Operator of a self-propelled, four-wheeled, rubber-tired truck type machine which is used in hauling of materials. Machine is normally used off the highway, working around rock crushers or excavation. Being reverse steer, the operator rides facing the dump-bed which is dumped by release of safety lock and sudden stop of machine, which causes off center loading of truck bed to dump. May oil, grease or otherwise service and make necessary adjustments to equipment as needed.

(2) Tank truck: Drives a truck or truck with trailer or semi-trailer, on which is mounted a tank, 3,000 to 6,000 gallons, for transporting loads of liquid products or construction material. May oil, grease or otherwise service and make necessary adjustments to equipment as needed.

(3) Lowboy, light equipment: Drives a truck to which is attached a trailer with a low frame or bed upon which light equipment or material is hauled. May service and make necessary adjustments for proper operation of equipment.

(4) Euclid type tank wagon under 6,000 gallons.

AP. Truck driver-group VI:

(1) Vacuum truck

(2) Dump trucks (including all highway and off highway): Drives truck, 16 cubic yards and under 22 cubic yards, for transporting loads of construction material. May service and make necessary adjustments for proper operation of equipment.

AQ. Truck driver VII:

(1) Transit mix or agitator (semi or four axle equipment): Drives a truck upon which is mounted a concrete mixer. Drives truck under loading hopper to receive sand, gravel and cement. Fills water tank and starts and stops mixer. Drives truck to location for unloading. Dumps concrete into chute leading to forms. Cleans mixer drum. May service and make necessary adjustments for proper operation of equipment.

(2) Flaherty truck type spreader box: Drives a self-propelled vehicle, consisting primarily of a hopper mounted on pneumatic-tired wheels, used to spread crushed aggregate on bituminous roadway material. May service and make necessary adjustments for proper operation of equipment.

(3) Slurry truck driver

(4) Bulk cement driver

(5) Semi doubles driver

(6) Four axle bobtail driver

(7) Dump trucks (including all highway and off highway): Drives truck, 22 cubic yards and under 36 cubic yards, for transporting loads of construction material. May service and make necessary adjustments for proper operation of equipment.

(8) Head field equipment servicemen.

AR. Truck driver VIII:

(1) Diesel-powered transport (non-self-loading) 10 yards and over: Drives diesel powered Euclid Turnarocker, Terra Cobra, D.W.-10, D.W.-20 Le Tourneau pulls and similar diesel powered equipment when used to haul material and assigned to a "teamster".

(2) Lowboy, heavy equipment: Drives a truck to which is attached a trailer with a low frame or bed upon which light equipment or material is hauled. May service and make necessary adjustments for proper operation of equipment.

(3) Tank truck: Drives a truck or truck with trailer or semi-trailer, on which is mounted a tank 6,000 gallons and over, for transporting loads of liquid products or construction material. May oil, grease or otherwise service and make necessary adjustments to equipment as needed.

(4) Semi-trailer drivers (flatbed or van, tandems)

(5) Light equipment mechanic

(6) Dump trucks (including all highway and off highway): Drives truck, 36 cubic yards and over, for transporting loads of construction material. May service and make necessary adjustments for proper operation of equipment.

AS. Truck driver IX:

(1) Warehouseman: Maintains warehouse for construction supplies and materials. May operate necessary equipment and machinery within warehouse area.

(2) Cardex men

(3) Expediter

(4) Lowboy (heavy equipment double gooseneck

(5) Heavy equipment mechanic

(6) Welder (body and fender man)

AT. Semi-skilled laborers Group II:

(1) Carpenter tender: Performs labor such as hand handling of materials used by carpenters. Assists in erecting and removing of forms, removes nails and clears lumber.

(2) Concrete worker or buggy operator: Pours and performs other work in relation to the lining with concrete. Operates buggy by pushing or pulling by hand

between mixer or other source to site of work.

(3) Fire watch: a laborer who watches the work area for fires when craftsmen are cutting or welding.

(4) Scaffold tender: Tends to the scaffold builder.

(5) Certified flagman: Supervises flag and signing personnel. Prepares revision to the traffic control plan.

(6) Bleacher seating: Unloads, moves to place of erection, assembles and installation of all stadium seating.

(7) Fence builder: Digs post holes, pours concrete for posts, sets posts, stretches fencing material.

(8) Guardrail builder: Attaches and assists in the installation of guardrails, (other than guardrails on bridges) guardrail posts, informational signs and metal fencing; including barb wire, woven wire, and chain link which is used to define right of way, medians or driving lanes or provide safety for such areas. May require the use of small hand tools such as hammer and spud wrench.

(9) Form stripper: Strips, cleans and oils all types of concrete forms.

(10) Gabian basket builders: Assembles wire baskets for rip rap.

(11) Rip rap stoneman: One who places stones into gabian baskets.

(12) Drywall, stocking and handling: Carries and handles of all materials by hand to a point adjacent to place of erection. Assists in placement of materials.

(13) Fly ash vacuum operator: Installs vacuum lines and operates nozzle of vacuum hose at power plants in the cleanup of ash.

(14) Landscaping and planter: Duties include site development, soil preparation, rototilling, fine grading, soil amending, installation of plants, seeded and sodded grasses, gravel and bark mulches. Installation of

landscape sprinkler systems including landscape irrigation backflow preventers, and all components downstream including pipe, valves, low voltage control wiring, irrigation controllers, sprinkler heads, and drip components. May operate small behind and stand-on only landscape equipment (including miniskid steers with attachments). Maintenance of landscapes including weeding, mowing, and irrigation repair. Duties do not include electrical work, fencing, concrete retaining walls or other work that is generally performed by skilled craftsmen.

(15) Manhole builder: Constructs a means of permanent access to water, electrical and sewer lines for maintenance purposes.

(16) Tool room person: manages, inspects and coordinates all tool room activities and exchanges.

(17) Rodmen: holds survey rod.

AU. Skilled laborers: Group III:

(1) Air and power tool man (not a carpenter's tool): A worker who uses a tool driven by compressed air, gas or electric power to perform such work as breaking old pavement, loosening or digging hard earth, trimming bottom and sides of trenches, breaking large rocks, driving sheeting, chipping concrete, trimming or cutting stone, calking steel plates, or compaction of earthen backfill. Install plastic and PVC linings on ponds. Rotary man operates a hand-held device to make cuts on road with a person holding a nozzle to fill cuts with oil.

(2) Asphalt raker: Distributes asphaltic road-building materials evenly over road surface by raking and brushing materials to correct thickness; may control straight edge to regulate width and depth of materials; directs "asphalt shovelers" when to add or take away material to fill low spots or to reduce high spots. Applies color to tennis courts, etc. by using a squeegee. Applies epoxy on concrete floors to seal.

(3) Asphalt heaterman: Tends a stationary or portable liquid asphalt kettle, starts fires (usually fuel oil) under the kettle, controls heat applied to the kettle by regulating dials or burners, maintains desired temperature in asphalt, and regulates valves for discharge of asphalt from kettle.

(4) Asphalt jointman: Cleans and pours asphalt joints in concrete paving with nozzle or can. Takes care of asphalt kettle heaters.

(5) Chain sawman: Operates a power driven chain saw to clear areas of timber. Falls trees, and sometimes cuts the fallen trees into short sections to facilitate their removal.

(6) Oxy or Gasoline torch operators: Uses cutting torch only for demolition work on steel or other metal structures.

(7) Cutting torch or welding torch operator or burner person: Uses cutting torch only for demolition work on steel or other metal structures.

(8) Gunit rebound men: A laborer who shoots gunit into place.

(9) Concrete power buggy operator: Drives self-propelled buggy to transport concrete from mixer or source of supply to place of deposit. Operates levers to dump load.

(10) Sandblaster: Cleans and prepares surfaces by the use of sandblasting equipment other than preparation for painting (see painter).

(11) Potman: Cleans screens and feeds sand to hopper or pot of sandblasting machine.

(12) Wagon, air track, drill and diamond driller (outside): Sets up and operates air driven drilling mechanism that drills holes into concrete or rock. Levels machine by placing timbers under wheels. Inserts and fastens drill steel in chuck. Adjusts angle of drill tower and bolts into position. Controls drilling and speed of drill by moving levers. May make other adjustments to equipment as needed.

(13) Multi-plate setter: Assembles large diameter metal culverts by bolting together semi-circular pieces of metal to form a complete circle, and bolts each section of this circle to similar sections which are placed adjacently, repeating these processes until the required length of culvert is formed.

(14) Concrete burner: Operates a devise used to burn holes, etc., through concrete. This devise consists of a consumable aluminum-magnesium rod inside a small iron pipe. Oxygen is forced through the pipe under pressure, and the end of the assembly is lighted. The concrete is melted by the intense heat of the device.

(15) Tenderers (to cement mason and plasterer): Assists in the pouring of concrete by spreading concrete, cleaning and caring of cement mason's tools, mixes mortar used in the patching of concrete. Mixes mortar for plasterers and delivers same to location where plasterers are working. Sets up scaffolding as directed by foreman where necessary, and cleans and cares for tools and equipment used in the preparation and application of plaster.

(16) Mortar mixer and mason tender: Mechanically mixes mortar ingredients to proper consistency and delivers to mason on scaffold or at site of work. Keeps materials supplied to mason.

(17) Batching plant scaleman: Manually operates a stationary or portable batching scale that weighs out concrete materials. Adjusts scales for required weight of the materials. Operates controls that admit materials separately from storage hoppers to weighing bins. Observes scales or indicators that show when proper amount of materials have been made. Discharges materials from weighing bin into truck or other carrier or mixer. He may measure materials by volume instead of weight.

(18) Concrete touch-up man: Prepares the surfaces of concrete masonry which is not to be finished (using tools other than

those normally used by "cement masons") by patching holes and broken corners, and removing high spots and defective concrete.

(19) Concrete sawman - coring machine: Operates a power driven, hand guided, water-cooled saw or diamond driller which is used to cut through slabs of concrete, except as otherwise provided elsewhere.

(20) Curbing machine, asphalt or cement: Operates a machine which applies asphalt or concrete along the edge of highways or parking aprons to form a small curb.

(21) Metal form setter-road: Fits together, aligns and grades metal road forms for holding concrete in place on road and street surfaces. Dismantles, moves and cleans forms after concrete hardens.

(22) Grade setter or checker: Keeps stakes and stringline set in place out in front of trenching machine so that machine will cut ditch in correct location. Sets stakes so that pipelayers can fine-grade ditch and measure from the batter board down to correct depth of ditch.

(23) Gunite, pumpcreteman and nozzleman: Assists operator and handles the equipment and directs the placing of concrete or mortar that is moved by pressures or pneumatic equipment, such as gunite. May fine-grade and place wire mesh at times.

(24) Vibrator operator (hand type): Lowers hose-like flexible shaft of vibrator into newly poured concrete. Starts power unit and holds shaft, allowing hammerhead on shaft to vibrate, thus compacting the concrete. Air, electric or gasoline operated vibrators are used.

(25) Vibratory compactor (hand type): Operates hand guided vibratory or impact compactor. Adjusts levers, throttles and other devices necessary for operation.

(26) Hod carrier: Assists brickmasons, stonemasons and blockmasons by

preparing mortar mix, either by hand or machine, delivers material to masons on scaffold, operates small material moving equipment such as power buggy, hoists, mortar mix pumps and other similar equipment. May erect and dismantle bricklayer scaffolds.

(27) Pipelayer: Unloading, handling, distribution and installation, concrete, corrugated metal pipe and corrugated and smooth wall plastic pipe, PVC and polyethylene pipe. Receives pipe lowered from top of trench; joins pipe ends; adjusts pipe to line and grade; seals joints with cement or other sealing compound. Lowers pipe.

(28) Plaster spreader operator: Mixes plaster to be used in a machine which is designed to apply plaster to surfaces by means of a hose. Handles and maintains hose, places and moves machine, and services and maintains machine.

(29) Jack hammer and chipping hammer operator: Operates jackhammer, chipping hammer, whether powered by air or electric or any other means.

(30) Tamper operator: Performs the compacting of soil using walk or stand behind equipment.

(31) Scaffold builder: Erects and dismantles all types of scaffolding, except wood scaffolding, for job site.

(32) Powderman tender: Carries powder or other explosive to blaster or powderman and assists by placing prepared explosive in hole, connecting lead wire to blasting machine, and performing other duties as directed.

(33) Water pump tender: fuels and tends to all water pumps under 6" for the purpose of moving water on the job site.

(34) Certified scissor lift or man lift operator: Person who completes competent person training certification in the operation of scissor and man lifts.

AV. Specialty laborer: Group IV:

(1) Asbestos abatement remover: A person who has proper certifications for removal of asbestos from pipes, ceiling and other parts of existing buildings, either by scraping or by using pressure by water. In addition, this definition includes a person who cleans up and disposes of asbestos after it has been removed.

(2) Toxic and hazardous waste remover: Person who has the proper certification for the removal of toxic and hazardous materials.

(3) Lead base paint remover: Person who has the proper certifications for the removal of lead base paints.

(4) Powderman and blaster: Prepares blasting material and inserts this material into predrilled holes. Performs electrical wiring necessary for detonation and assures that all charges have detonated before other workmen resume work in the area made hazardous by the charges.

(5) Pest technician (Licensed by the Bureau of Rodent Management): Technician certified for the removal and handling of rodents and pests.

(6) Radiation worker II: Person that completes proper training for work in areas containing radiation.

AW. Unskilled laborers: Group I:

(1) Chainman, stake driver, stake hopper: Carries supplies, drags chain, holds survey rod, drives stakes and assists surveyor in other related duties.

(2) Building and common laborer: A general term used on construction work covering many unskilled occupations. A laborer works with all crews doing everything from pick and shovel work to cleaning up lumber with hammer; shoveling and placing concrete; applying coats of oil to inside face of forms; stripping forms; working on rock crusher to feed trap; opening cement sacks at batch plant; working with dirt crew to move construction layout stakes; working

as flagman, signalman or spotter to control traffic; serving as dumpman; spreading hot asphaltic material over roadbed with shovel; operating hand concrete buggy or wheelbarrow; helping painter to prepare surfaces for painting and cleaning paint equipment. Does not include roofing cleanup.

(3) Concrete buggy operator (hand): Operating buggy by pushing or pulling by hand between mixer or other source to site of work.

(4) Flagman: Flagman is stationed at strategic locations to control flow of traffic by hand held flags or other hand held warning device.

(5) Window washer: Cleans and washes windows.

(6) Unloading of furniture and fixtures: Unloads furniture and fixtures from trucks and moves them to the place of installation or storage.

(7) Heat tenders: Fuels and tends to heaters use on the job sites.

AX. Underground laborers: Group I

Tunnel workers: Outside laborer, minimum tunnel, labor, dry houseman and hand muckers, top landers, trackmen.

AY. Underground laborers: Group II

Chuck tender, cable or base tenders, concrete laborers, dumpmen, whirley pump operators, tenders on shotcrete, gunniting and sandblasting, tenders core and diamond drills, pot tenders, concrete specialist (1) including finishing, grouting, patching, and curing, concrete specialist tender (2), applying of concrete processing materials, concrete worker, (including all chipping and finishing underground).

AZ. Underground Laborers: Group III

Shaft Miner, tunnel miner, air tugger operators, collapsible form movers and setters, machine men and bit grinders, nippers, powdermen and blasters, reinforcing steel setters, timbermen

(steel or wood tunnel support, including the placement of sheeting when required), tunnel liners, plate setters, all cutting and welding incidental to miners' work, vibrator men, internal and external, unloading, stopping and starting of moran agitator cars, diamond and core drill operators, shotcrete operator, gunnite nozzelmen.

[11.1.2.18 NMAC - Rp, 11.1.2.17 NMAC, 12/30/2016; A, 1/1/2023; A, 5/19/2023]

11.1.2.20 PREVAILING WAGE AND FRINGE BENEFIT AND APPRENTICESHIP CONTRIBUTION RATES:

Pursuant to 11.1.2.13 NMAC, the director of the labor relations division of the department of workforce solutions hereby publishes the 2023 prevailing wage and fringe benefit rates and apprenticeship contributions that will apply to all wage rate decisions issued from January 1, 2023 through December 31, 2023.

Continued Next Page

A. TYPE A: STREET, HIGHWAY, UTILITY AND LIGHT ENGINEERING			
Trade Classification	Base Rate	Fringe Rate	Apprenticeship
Bricklayer/block layer/stonemason	24.46	8.81	
Carpenter/lather	27.73	12.14	
Carpenter: Los Alamos county	33.18	13.58	
Cement mason	18.24	[8.40] <u>7.61</u>	
Drywall Finisher/Taper	25.82	8.40	
Glazier			
Glazier/Fabricator	21.25	6.70	
Delivery Driver	12.00	6.70	
Ironworker			
<u>Ironworker journeyman</u>	28.05	18.30	
<u>Probationary ironworker</u>	<u>22.44</u>	<u>18.30</u>	
Painter – Commercial	18.25	8.50	
Paper Hanger	18.25	8.50	
Plumber/pipefitter	38.63	14.55	
Electricians – outside classifications: Zone 1			
Ground man	25.43	11.76	
Equipment operator	36.48	16.09	
Lineman	46.09	18.52	
Journeyman technician	42.92	17.73	
Cable splicer	47.22	18.81	
Electricians – outside classifications: Zone 2			
Ground man	25.43	11.76	
Equipment operator	36.48	16.09	
Lineman	46.09	18.52	
Journeyman technician	42.92	17.73	
Cable splicer	47.22	18.81	
Electricians – outside classifications: Los Alamos county			
Ground man	26.15	11.78	
Equipment Operator	37.54	16.13	
Lineman/Technician	47.29	18.82	
Journeyman technician	44.15	18.04	
Cable Splicer	51.93	19.98	
Laborers			
Group I – Unskilled	15.99	7.11	
Group II – Semi-Skilled	15.99	7.11	
Group III – Skilled	17.49	7.11	

Group IV - Specialty	17.99	7.11	
Operators			
Group I	21.35	6.74	
Group II	22.38	6.74	
Group III	22.49	6.74	
Group IV	22.62	6.74	
Group V	22.73	6.74	
Group VI	22.94	6.74	
Group VII	23.12	6.74	
Group VIII	23.45	6.74	
Group IX	31.96	6.74	
Group X	35.65	6.74	
Soft Floor Layer	21.00	8.45	
Truck drivers			
Group I – IX	19.00	9.10	
B. TYPE B: GENERAL BUILDING			
Trade Classification	Base Rate	Fringe Rate	Apprenticeship
Asbestos workers/heat & frost insulators	35.56	12.26	.60
Asbestos workers/heat & frost insulators: Los Alamos county	37.99	12.26	.60
Boilermaker/blacksmith	35.88	32.28	.60
Boilermaker/blacksmith: San Juan county	36.83	31.88	.60
Bricklayer/block layer/stonemason	24.97	9.50	.60
Carpenter/lather	27.73	12.14	.60
Carpenter: Los Alamos county	33.18	13.58	.60
Millwright/pile driver	37.10	28.30	.60
Cement mason	23.04	11.30	.60
Electricians – outside classifications: Zone 1			
Ground man	25.43	11.76	.60
Equipment operator	36.48	16.09	.60
Lineman/technician	46.09	18.52	.60
Cable splicer	47.22	18.81	.60
Electricians – outside classifications: Zone 2			
Ground man	25.43	11.76	.60
Equipment operator	36.48	16.09	.60
Lineman/technician	46.09	18.52	.60
Cable splicer	47.22	18.81	.60
Electricians – outside classifications: Los Alamos county			
Ground man	26.15	11.78	.60
Equipment operator	37.54	16.13	.60

Lineman/technician	47.29	18.82	.60
Cable splicer	51.93	19.98	.60
Electricians – inside classifications: Zone 1			
Wireman/low voltage technician	36.75	12.40	.60
Cable splicer	40.43	12.51	.60
Electricians – inside classifications: Zone 2			
Wireman/low voltage technician	40.06	12.50	.60
Cable splicer	43.74	12.61	.60
Electricians – inside classifications: Zone 3			
Wireman/low voltage technician	42.26	12.57	.60
Cable splicer	45.94	12.68	.60
Electricians – inside classifications: Zone 4			
Wireman/low voltage technician	46.31	12.69	.60
Cable splicer	49.99	12.80	.60
Electricians – inside classifications: Dona Ana county, Hidalgo county, Luna county and Otero county			
Wireman/low voltage technician	32.07	9.81	.60
Cable splicer	32.07	9.81	.60
Electricians – inside classifications: Los Alamos county			
Wireman/low voltage technician	42.26	14.68	.60
Cable splicer	45.94	14.98	.60
Elevator constructor	48.93	37.49	.60
Elevator constructor helper	39.14	37.49	.60
Glazier			
Journeyman/Fabricator	21.25	6.70	.60
Delivery driver	12.00	6.70	.60
Glazier: Los Alamos county	21.25	6.70	.60
Ironworker			
Ironworker journeyman	28.05	18.30	.60
Probationary ironworker	<u>22.44</u>	<u>18.30</u>	<u>.60</u>
Painter	18.25	8.50	.60
Painter: Los Alamos county	30.33	10.35	.60
Paper Hanger	18.25	8.50	.60
Paper Hanger: Los Alamos county	[30.33] 29.51	10.35	.60
Drywall Finisher/Taper – Light commercial & residential			
Ames tool operator	26.82	8.40	.60
Hand finisher/machine texture	25.82	8.40	.60
Drywall Finisher/Taper: Los Alamos county	29.51	10.35	.60
Plasterer	24.34	9.79	.60
Plumber/pipefitter	35.11	13.40	.60

Roofer			
Roofer journeyman	26.94	9.36	.60
Roofer Helper	<u>16.16</u>	<u>9.36</u>	<u>.60</u>
Sheet metal worker			
Zone 1	35.44	19.00	.60
Zone 2 – Industrial	36.44	19.00	.60
Zone 3 – Los Alamos county	37.44	19.00	.60
Soft floor layer	21.00	9.20	.60
Soft floor layer: Los Alamos county	29.55	10.45	.60
Sprinkler fitter	34.18	24.44	.60
Tile setter	24.46	8.81	.60
Tile setter helper/finisher	16.53	8.81	.60
Laborers			
Group I – Unskilled	19.25	7.93	.60
Group II – Semi-Skilled	19.25	7.93	.60
Group III – Skilled	20.25	7.93	.60
Group IV – Specialty	22.50	7.93	.60
Masonry Laborers			
Group I – Unskilled and Semi-Skilled	19.75	8.09	.60
Group II – Skilled	21.50	8.09	.60
Group III – Specialty	22.00	8.09	.60
Operators			
Group I	23.32	7.67	.60
Group II	25.48	7.67	.60
Group III	25.94	7.67	.60
Group IV	[26.36] <u>26.38</u>	7.67	.60
Group V	26.57	7.67	.60
Group VI	26.78	7.67	.60
Group VII	26.89	7.67	.60
Group VIII	29.93	7.67	.60
Group IX	32.32	7.67	.60
Group X	35.72	7.67	.60
Truck drivers			
Group I – VII	16.65	8.27	.60
Group VIII	16.71	8.27	.60
Group IX	18.65	8.27	.60
C. TYPE C: RESIDENTIAL			
Trade classification	Base rate	Fringe rate	Apprenticeship
Asbestos workers/heat & frost insulators	35.56	12.26	.60
Asbestos workers/heat & frost insulators: Los Alamos county	37.99	12.26	.60

Boilermaker/blacksmith	35.88	32.28	.60
Boilermaker/blacksmith: San Juan county	36.83	31.88	.60
Bricklayer/block layer/stonemason	24.46	8.81	.60
Carpenter/lather	27.73	12.14	.60
Carpenter: Los Alamos county	33.18	13.58	.60
Cement mason	20.07	10.48	.60
Electricians – outside classifications: Zone 1			
Ground man	25.43	11.76	.60
Equipment operator	36.48	16.09	.60
Lineman/technician	46.09	18.52	.60
Cable splicer	47.22	18.81	.60
Electricians – outside classifications: Zone 2			
Ground man	25.43	11.76	.60
Equipment operator	36.48	16.09	.60
Lineman/technician	46.09	18.52	.60
Cable splicer	47.22	18.81	.60
Electricians – outside classifications: Los Alamos county			
Ground man	26.15	11.78	.60
Equipment operator	37.54	16.13	.60
Lineman/technician	47.29	18.82	.60
Cable splicer	51.93	19.98	.60
Electricians – inside classifications: Zone 1			
Wireman/low voltage technician	36.75	12.40	.60
Cable splicer	40.43	12.51	.60
Electricians – inside classifications: Zone 2			
Wireman/low voltage technician	40.06	12.50	.60
Cable splicer	43.74	12.61	.60
Electricians – inside classifications: Zone 3			
Wireman/low voltage technician	42.26	12.57	.60
Cable splicer	45.94	[12.67] <u>12.68</u>	.60
Electricians – inside classifications: Zone 4			
Wireman/low voltage technician	46.31	12.69	.60
Cable splicer	49.99	12.80	.60
Electricians – inside classifications: Dona Ana county, Hidalgo county, Luna county and Otero county			
Wireman/low voltage technician	32.07	9.81	.60
Cable splicer	32.07	9.81	.60
Electricians – inside classifications: Los Alamos county			
Wireman/low voltage technician	42.26	14.68	.60
Cable splicer	45.94	14.98	.60
Elevator constructor	48.93	38.34	.60

Elevator constructor helper	39.14	38.34	.60
Glazier			
Glazier/Fabricator	21.25	6.70	.60
Delivery Driver	12.00	6.70	.60
Ironworker			
<u>Ironworker journeyman</u>	28.05	18.30	.60
<u>Probationary ironworker</u>	<u>22.40</u>	<u>18.30</u>	<u>.60</u>
Painter – Residential	13.25	[18.52] <u>8.50</u>	.60
Drywall Finisher/Taper – Light commercial & residential			
Ames tool operator	23.45	8.40	.60
Hand finisher/machine texture	22.45	8.40	.60
Paper hanger	14.25	8.50	.60
Plasterer	21.04	8.72	.60
Plumber/pipefitter	26.92	7.35	.60
Roofer			
<u>Roofer journeyman</u>	26.94	9.36	.60
<u>Roofer helper</u>	<u>16.16</u>	<u>9.36</u>	<u>.60</u>
Sheet metal worker			
Zone 1	35.44	19.00	.60
Zone 2 – Industrial	36.44	19.00	.60
Zone 3 – Los Alamos county	37.44	19.00	.60
Soft floor layer	21.00	9.20	.60
Sprinkler fitter	34.18	24.44	.60
Tile setter	24.46	8.81	.60
Tile setter help/finisher	16.53	8.81	.60
Laborers			
Group I – Unskilled	12.25	7.93	.60
Group II – Semi-skilled	12.25	7.93	.60
Group III – Skilled	13.25	7.93	.60
Group IV – Specialty	14.25	7.93	.60
Operators			
Group I	18.57	8.20	.60
Group V	20.31	8.20	.60
Group VII	24.52	8.20	.60
Group VIII	26.62	8.20	.60
Truck drivers			
Group I – IX	20.75	6.27	.60
D. TYPE H: HEAVY ENGINEERING			
Trade Classification	Base Rate	Fringe Rate	Apprenticeship
Asbestos workers/heat & frost insulators	35.56	12.26	.60
Asbestos workers/heat & frost insulators: Los Alamos county	37.99	12.26	.60

Boilermaker/blacksmith	35.88	32.28	.60
Boilermaker/blacksmith: San Juan county	36.83	31.88	.60
Bricklayer/block layer/stonemason	25.54	8.81	.60
Carpenter/lather	27.73	12.14	.60
Carpenter: Los Alamos county	33.18	13.58	.60
Millwright/pile driver	37.10	28.30	.60
Cement mason	22.30	7.41	.60
Electricians - outside classifications: Zone 1			
Ground man	25.43	11.76	.60
Equipment operator	36.48	16.09	.60
Lineman/technician	46.09	18.52	.60
Cable splicer	47.22	18.81	.60
Electricians - outside classifications: Zone 2			
Ground man	25.43	11.76	.60
Equipment operator	36.48	16.09	.60
Lineman/technician	46.09	18.52	.60
Cable splicer	47.22	18.81	.60
Electricians – outside classifications: Los Alamos county			
Ground man	26.15	11.78	.60
Equipment operator	37.54	16.13	.60
Lineman/technician	47.29	18.82	.60
Cable splicer	51.93	19.98	.60
Electricians – inside classifications: Zone 1			
Wireman/low voltage technician	36.75	12.40	.60
Cable splicer	40.43	12.51	.60
Electricians - inside classifications: Zone 2			
Wireman/low voltage technician	40.06	12.50	.60
Cable splicer	43.74	12.61	.60
Electricians - inside classifications: Zone 3			
Wireman/low voltage technician	42.26	12.57	.60
Cable splicer	45.94	12.68	.60
Electricians - inside classifications: Zone 4			
Wireman/low voltage technician	46.31	12.69	.60
Cable splicer	49.99	12.80	.60
Electricians – inside classifications: Dona Ana county, Hidalgo county, Luna county and Otero county			
Wireman/low voltage technician	32.07	9.81	.60
Cable splicer	32.07	9.81	.60
Electricians – inside classifications: Los Alamos county			
Wireman/low voltage technician	42.26	14.68	.60
Cable splicer	45.94	14.98	.60

Glazier			
Glazier/Fabricator	21.25	6.70	.60
Delivery driver	12.00	6.70	.60
Ironworker			
<u>Ironworker journeyman</u>	28.05	18.30	.60
<u>Probationary ironworker</u>	22.44	18.30	.60
Painter – Industrial	22.25	10.77	.60
Paperhanger	19.75	10.77	.60
Drywall Finisher/Taper – Industrial			
Ames tool operator	27.67	8.40	.60
Hand finisher/machine texture	26.67	8.40	.60
Plumber/pipefitter	38.63	14.55	.60
Roofer			
<u>Roofer journeyman</u>	26.94	9.36	.60
<u>Roofer helper</u>	16.16	9.36	.60
Sheet metal worker	35.44	19.00	.60
Operators			
Group I	23.34	6.74	.60
Group II	23.55	6.74	.60
Group III	23.78	6.74	.60
Group IV	23.93	6.74	.60
Group V	24.04	6.74	.60
Group VI	24.26	6.74	.60
Group VII	24.28	6.74	.60
Group VIII	26.44	6.74	.60
Group IX	32.87	6.74	.60
Group X	36.54	6.74	.60
Laborers			
Group I – Unskilled	18.34	7.11	.60
Group II – Semi-Skilled	19.09	7.11	.60
Group III – Skilled	20.60	7.11	.60
Group IV- Specialty	21.00	7.11	.60
Laborers – Underground			
Group I	20.25	6.93	.60
Group II	20.62	6.93	.60
Group III	20.97	6.93	.60
Soft Floor Layer	21.00	9.20	.60
Truck drivers			
Group I	19.00	9.10	.60
Group II	19.00	9.10	.60
Group III	19.00	9.10	.60
Group IV	19.00	9.10	.60
Group V	19.00	9.10	.60

Group VI	19.00	9.10	.60
Group VII	19.00	9.10	.60
Group VIII	19.00	9.10	.60
Group IX	25.00	9.10	.60
Maintenance Sub Group IX			
Rate I	20.90	9.00	.60
Rate II	21.77	9.00	.60
Rate III	22.24	9.00	.60

[11.1.2.20 NMAC - N, 02-29-2016; Rp, 1/1/2017; A, 1/1/2018, A, 1/1/2019; A, 1/1/2020; A, 1/1/2021; A, 1/1/2022; A, 1/1/2023; A, 5/19/2023]

End of Adopted Rules

This Page Intentionally Left Blank

Other Material Related to Administrative Law

**ECONOMIC
DEVELOPMENT
DEPARTMENT****NOTICE OF MINOR,
NONSUBSTANTIVE
CORRECTION**

The Economic Development Department gives notice of a Minor, Nonsubstantive Correction to its Notice of Proposed Rulemaking published in Issue 8 of the New Mexico Register.

The proposed new rule **Public Finance, Local Economic Development Act (LEDA)** has a new rule number of **2.94.1 NMAC**. The previous rule number was erroneous given as 2.93.1 NMAC. The proposed new rule has been corrected with the new rule number.

**End of Other Material
Related to Administrative
Law**

2023 New Mexico Register Submittal Deadlines and Publication Dates Volume XXXIV, Issues 1-24

Issue	Submittal Deadline	Publication Date
Issue 1	January 5	January 18
Issue 2	January 19	January 31
Issue 3	February 2	February 14
Issue 4	February 16	February 28
Issue 5	March 2	March 14
Issue 6	March 16	March 28
Issue 7	March 30	April 11
Issue 8	April 13	April 25
Issue 9	May 4	May 16
Issue 10	May 18	May 31
Issue 11	June 1	June 13
Issue 12	June 15	June 27
Issue 13	July 7	July 18
Issue 14	July 20	July 31
Issue 15	August 3	August 15
Issue 16	August 17	August 29
Issue 17	August 31	September 12
Issue 18	September 14	September 26
Issue 19	September 28	October 10
Issue 20	October 12	October 24
Issue 21	October 26	November 7
Issue 22	November 9	November 21
Issue 23	November 22	December 5
Issue 24	December 7	December 19

The *New Mexico Register* is the official publication for all material relating to administrative law, such as notices of rulemaking, proposed rules, adopted rules, emergency rules, and other material related to administrative law. The Commission of Public Records, Administrative Law Division, publishes the *New Mexico Register* twice a month pursuant to Section 14-4-7.1 NMSA 1978. The *New Mexico Register* is available free online at: <http://www.srca.nm.gov/new-mexico-register/>. For further information, call 505-476-7941