

**NOTICE OF RESCHEDULED PROPOSED RULEMAKING**

**NOTICE IS HEREBY GIVEN** that the State Records Administrator (“Administrator”), or a delegated hearing officer, will hold a rulemaking hearing on November 13 at 10:00 AM. The meeting will be held virtually via Zoom. Members of the public may attend the Zoom meeting on a computer, mobile device, or telephone. The videoconference's Meeting ID and Password, videoconference link, and telephone numbers are as follows:

State Records Administrator Rulemaking Hearing Invitation for November 13, 2020 at 10:00 AM.  
Waiting room opens at 9:30AM, feel free to join the meeting early.

Topic: SRA Rule Hearing  
Time: Nov 13, 2020 10:00 AM Mountain Time (US and Canada)

Join Zoom Meeting  
<https://us02web.zoom.us/j/87551608838>

Meeting ID: 875 5160 8838  
One tap mobile  
+13462487799,,87551608838# US (Houston)  
+16699009128,,87551608838# US (San Jose)

Dial by your location  
+1 346 248 7799 US (Houston)  
+1 669 900 9128 US (San Jose)  
+1 253 215 8782 US (Tacoma)  
+1 312 626 6799 US (Chicago)  
+1 646 558 8656 US (New York)  
+1 301 715 8592 US (Germantown)

Meeting ID: 875 5160 8838  
Find your local number: <https://us02web.zoom.us/u/kbj79WU5SS>

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aid or service to attend or participate in the meeting, please contact Rick Hendricks at 505 476-7955 by November 2, 2020, or as soon as possible.

The SRA will consider the following item of rulemaking at the hearing:

**Amend:**

1.24.10 NMAC, New Mexico Administrative Code.

**Synopsis:**

Due to the governor’s declaration of a public health emergency, the SRA issued an emergency amendment on April 29, 2020 to section 15 allowing for transmittal form filing with a digital signature. By operation of law, this emergency amendment expires on October 30, 2020. This amendment allows for a digital signature on a transmittal form. This permanent amendment differs from the emergency amendment as it does not include any predicate requirement of an emergency for an agency to submit a digital signature. If this amendment becomes permanent, an agency would have the option of submitting a transmittal form with an original signature, in black ink, or with a valid digital signature.

**Purpose:**

The purpose of the proposed amendment of 1.24.10.15 NMAC is to allow and to accept an original signature or digital signature on the transmittal form for any rule filing.

#### **1.24.10.15 NMAC TRANSMITTAL FORM:**

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**F.** Each rule filing shall bear the original signature of the issuing authority or authorized designee in black ink on the paper copy of the NMAC transmittal form or with a valid digital signature. If authority is delegated, the box shall be checked. Any rule filing may be accepted, with a valid digital signature, and will be filed by the administrative law division on the appropriate New Mexico register submittal deadline; unless agency needs a rule to be filed on a different date, pursuant to Subsection D of Section 14-4-5 or Section 14-4-5.6 NMSA 1978, then alternate arrangements will be made on a case by case basis.

**G.** Those portions of the transmittal form that are completed by the issuing agency under the concise explanatory statement heading shall be considered sufficient compliance with State Rules Act and shall be provided to the public at the time the issuing agency adopts any rule making.

[1.24.10.15 NMAC - Rp, 1 NMAC 3.3.10.11, 2/29/2000; A, 6/30/2004; A, 9/15/2014; A, 11/30/2015; A, 7/1/2017; A/E, 4/29/2020; A, 11/24/2020]

At the virtual hearing the Administrator will take oral comments related to the rulemaking actions listed below and will consider approving these rule making actions. The State Records Administrator may take action on those rules at the close of the public rulemaking hearing. Oral comments will be taken virtually, subject to time limitations, and written comments will be received at the main entrance of the State Records Center and Archives, 1209 Camino Carlos Rey, Santa Fe, NM between 8:30 a.m. and 9:30 a.m..

Interested persons may submit written comments via email at [rmd.cpr@state.nm.us](mailto:rmd.cpr@state.nm.us). Written comments must be received no later than 5:00 p.m. on November 12, 2020. If submitting written comments by e-mail, please indicate in the subject line the number of each rule(s) for which you are providing comments.

A copy of the agenda and proposed rule for the state records administrator rule hearing is also available on the commission website and at the office of the State Records Administrator located at the State Records Center and Archives at 1209 Camino Carlos Rey, Santa Fe, NM. The agenda is subject to change up to 72 hours prior to the meeting. Legal authority for this rulemaking can be found in the State Rules Act, Section 14-4-1, et seq. NMSA 1978.