

PUBLIC RULE HEARING AND REGULAR BOARD MEETING

The New Mexico Interior Design Board noticed a rule hearing for proposed rulemaking, which was published in the New Mexico Register on November 9, 2021. This notice replaces the previous notice to reschedule the rule hearing due to a lack of quorum. The New Mexico Interior Design (“Board”) has rescheduled the rule hearing for January 13, 2022 at 9:00 a.m. Following the rule hearing, the Board will convene a board meeting to consider adoption of the rules and address regular business. The rule hearing and subsequent Board meeting will be held via Cisco Webex Meetings for those wishing to attend virtually.

<https://nmrld.webex.com/nmrld/onstage/g.php?MTID=e2288fe3352c8891ac41eead562a065c3>

To join the meeting by phone: 1-415-655-0002 United States Toll

Access Code: 2499 522 5871

The purpose of the rule hearing is to consider proposed amendments to the following rules:

16.42.4 NMAC – Complaints and Disciplinary Actions; and

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

The amendments to Parts 4 and 7 of the Board’s rules are primarily intended to address the legislative changes to the Uniform Licensing Act (“ULA”), NMSA, 1978, Sections 61-1-1 through -36, (1951, as amended through 2021), which occurred this past Legislative Session. *See* H.B. 120, 55th Leg., Reg. Sess. (N.M. 2021), available at: <https://www.nmlegis.gov/Sessions/21%20Regular/final/HB0120.pdf> and S.B. 2, 55th Leg., Special Sess. (N.M. 2021), available at: <https://www.nmlegis.gov/Sessions/21%20Special/final/SB0002.pdf>. The amendments Part 4 are intended to incorporate the legislative changes required by SB 2 which include the adoption by the Board of a list of disqualifying criminal convictions which could disqualify an applicant for a prior felony conviction. Additionally, the amendments to Part 7 of the Board’s rules, are intended to incorporate the legislative changes required by House Bill 120.

To obtain and review copies of the proposed changes you may go to the Board’s website at:

<https://www.rld.nm.gov/boards-and-commissions/individual-boards-and-commissions/interior-design/interior-design-rules-and-laws> or contact the New Mexico Interior Design Board at (505)476-4622 or by email at interior.design@state.nm.us.

The Board is currently accepting public comments on the proposed amendments. Please submit written comments on the proposed changes to Roxann Ortiz, Board Administrator, via electronic mail at interior.design@state.nm.us or by regular mail at P.O. Box 25101, Santa Fe, NM 87504, no later than Thursday, January 13, 2022 Rule Hearing. Persons will also be given the opportunity to present their comments at the rule hearing. All written comments will be posted to the Board’s website at: <https://www.rld.nm.gov/boards-and-commissions/individual-boards-and-commissions/interior-design/interior-design-rules-and-laws>, no more than three business days following receipt to allow for public viewing.

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 Roxann Ortiz, Board Administrator at (505) 476-4622.

Statutory Authority: The Interior Designers Act, Sections 61-24B-7 NMSA 1978, among other provisions, specifically authorizes the Board to “adopt regulations necessary to carry out the purposes and policies of the Interior Designers Act, including regulations relating to professional conduct, standards of performance and professional examination and licensure, reasonable license, application, renewal and late fees and the establishment of ethical standards of practice for a licenses interior designer in New Mexico.”

Summary of Proposed Changes:

In addition to making minor clarification changes, the proposed rules are summarized as follows:

16.42.4 NMAC—Complaints and Disciplinary Actions

The amendments to this part add a new section to the rule so that it is in compliance with the 2021 legislative changes made under SB2. The proposed amendments to this rule establish which criminal felony convictions directly relate to the employment or profession of signed language interpreting that may disqualify an applicant or licensee from holding a license. The proposed amendment also defines how the conviction may and/or may not be used when reviewing an application for licensure or for violation of the Board's statute or rules by a current licensee.

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

The amendments to this part includes new language so that the rule is in compliance with the 2021 legislative change regarding HB120 Military Spouses Expedited Licensure. The proposed amendments changes the time for approving an application for license from sixty days to thirty days and removes "recent" from the definition of veteran. The rule also sets out application and renewal requirements.