

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 30 ARCHITECTS
PART 2 ORGANIZATION AND ADMINISTRATION

16.30.2.1 ISSUING AGENCY: New Mexico Board of Examiners for Architects.
[16.30.2.1 NMAC - Rp, 16.30.2.1 NMAC, 9/26/2023]

16.30.2.2 SCOPE: Provisions for Part 2 apply to any person registered as an architect, or to anyone applying for registration as an architect in New Mexico.
[16.30.2.2 NMAC - Rp, 16.30.2.2 NMAC, 9/26/2023]

16.30.2.3 STATUTORY AUTHORITY: Subsection C of Section 61-15-4 NMSA 1978 prescribes that “The board...may make rules not inconsistent with law.”
[16.30.2.3 NMAC - Rp, 16.30.2.3 NMAC, 9/26/2023]

16.30.2.4 DURATION: Permanent.
[16.30.2.4 NMAC - Rp, 16.30.2.4 NMAC, 9/26/2023]

16.30.2.5 EFFECTIVE DATE: September 26, 2023, unless a different date is cited at the end of the section. [16.30.2.5 NMAC - Rp, 16.30.2.5 NMAC, 9/26/2023]

16.30.2.6 OBJECTIVE: The objective of this rule is to clearly define the organizational structure of the board, the duties of the officers, the committees, types of meetings, order of business, the number needed for quorum, to provide authority to amend the board’s rules and regulations, and to define the board’s responsibility for publications.
[16.30.2.6 NMAC - Rp, 16.30.2.6 NMAC, 9/26/2023]

16.30.2.7 DEFINITIONS: [RESERVED]
[16.30.2.7 NMAC - Rp, 16.30.2.7 NMAC, 9/26/2023]

16.30.2.8 UNIFORM LICENSING ACT: Procedures for administration of the New Mexico Architectural Act shall be governed by the provisions of the Uniform Licensing Act, Sections 61-15-1 through -31 NMSA 1978.
[16.30.2.8 NMAC - Rp, 16.30.2.8 NMAC, 9/26/2023]

16.30.2.9 OFFICERS: The board shall annually elect a chair, vice chair, and a secretary/treasurer who shall be chosen from among its members. Officers shall hold office until their successors have been duly elected and qualified. At the last regular meeting of the fiscal year, officers shall be elected. New officers shall take office on the first day of the fiscal year.
[16.30.2.9 NMAC - Rp, 16.30.2.9 NMAC, 9/26/2023]

16.30.2.10 DUTIES OF OFFICERS:

- A.** The chair shall:
- (1) preside at all regular and special meetings, when present;
 - (2) appoint all committee members, and subcommittee members, and their chairpersons;
 - (3) sign with the secretary/treasurer all approved board meeting minutes, all formal certificates of registration and the annual report to the governor; and
 - (4) perform all other duties ordinarily pertaining to the office of chair or as herein and hereafter prescribed.
- B.** The vice chair shall in the absence of the chair, preside at the meeting and execute the duties of the chair.
- C.** The secretary/treasurer shall:
- (1) report on the financial status of the board at each regular meeting and upon request at a special meeting;

- (2) recommend to the board for its approval all proposed expenditures over the amount authorized by the legislature.
- (3) approve all transfers of funds within categories and recommend to the board for its approval all budget adjustment requests between the categories or from cash reserves;
- (4) present a budget for each fiscal year to recommend to the board for its approval at the last meeting of the year;
- (5) when necessary, appear and represent the board at all hearings where financial issues arise;
- (6) after each board meeting, identify activities that shall be completed before the next meeting and the individuals to whom assigned; and
- (7) sign with the chair all approved board meeting minutes and all formal certificates of registration.

16.30.2.10 NMAC - Rp, 16.30.2.10 NMAC, 9/26/2023]

16.30.2.11 COMMITTEES: In addition to committees listed herein, the board may vote to establish subcommittees as it deems necessary.

- A.** Rules and regulations committee whose responsibilities shall include:
 - (1) proposed statutory changes;
 - (2) proposed amendments or repeals or changes to board rules;
 - (3) review and draft responses, if appropriate, to complaints to the board; and
 - (4) review investigations of violations of the statute and regulations pertaining to the practice of architecture and refer complaints to the board with its recommendation for subsequent action.
- B.** Examination and reciprocity committee whose responsibility shall include:
 - (1) review of applicants for registration to determine if they meet the requirements of Section 61-15-6 NMSA and recommending board action in accordance with the Uniform Licensing Act;
 - (2) reviewing and recommending board action on applications for reciprocity; and
 - (3) all matters pertaining to examination.
- C.** Finance and operations committee whose responsibilities shall include:
 - (1) reviewing the budget, assisting the secretary/treasurer and board staff in preparing a draft budget annually and making budget recommendations to the board;
 - (2) reviewing the expenditures of the agency and assisting the secretary/treasurer in making regular reports and recommendations to the board regarding expenditures;
 - (3) reviewing office operations with the director to determine staffing requirements and recommend personnel actions to the board; and
 - (4) reviewing with the director office operations to assure efficiency, economy and security in all board affairs.
- D.** Committee for planning and development whose responsibilities shall include:
 - (1) developing short and long-term goals for board consideration and approval;
 - (2) examining ways and methods for improving board services and functions; and
 - (3) monitoring the impact of architectural regulation and examining ways in which to increase its effectiveness.
- E.** Joint practice committee whose responsibilities shall include:
 - (1) attending joint practice committee meetings; and
 - (2) reporting to the board matters discussed at the joint practice committee meetings.

[16.30.2.11 NMAC - Rp, 16.30.2.11 NMAC, 9/26/2023]

16.30.2.12 [RESERVED]

[16.30.2.12 NMAC - Rp, 16.30.2.12 NMAC, 9/26/2023]

16.30.2.13 BOARD RESPONSIBILITIES:

- A.** The board is responsible for providing oversight for all board functions.
- B.** The board shall appoint the director.
- C.** Publications:
 - (1) Roster: A roster showing the number and addresses of all registered architects shall be prepared by the board and made available or sold to the public in accordance with the Architectural Act, Subsection E of Section 61-15-5 NMSA 1978.

(2) Annual report: The chair shall submit an annual report to the governor and shall make that report available to all registrants and the public, through the board office, pursuant to Section 61-15-5 NMSA 1978.

(3) Architectural Act, rules and regulations: The board shall maintain current editions of the act that will be published as often as the board deems necessary. These shall be made available to all architects registered in the state of New Mexico and to all applicants applying for registration. In addition, notice shall be made to all registered architects when changes occur in the statutes or rules and regulation.

D. Upon the recommendation of the architectural education board member, the board may appoint a student observer to a one-year term to observe board meetings and act as a liaison to the student observer's college of architecture and other educational institutions. The student observer must be a full-time student in good standing who is studying architecture at an accredited college of architecture in New Mexico.
[16.30.2.13 NMAC - Rp, 16.30.2.13 NMAC, 9/26/2023]

HISTORY OF 16.30.2 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives:

BEA 68-1, Architectural Law and Rules and Regulations, 7/1/1968.

BEA 69-1, Architectural Law and Rules and Regulations, 6/17/1969.

BEA 70-1, Architectural Law and Rules and Regulations, 7/28/1970.

BEA 74-1, Roster of Registered Architects Laws Rules Regulations, 8/30/1974.

BEA 78-1, Board of Examiners for Architects, 9/19/1978.

NMBEA Rule 1, Organization, 6/23/1980.

NMBEA 85-1, Architectural Act Rules and Regulations, 2/7/1985.

NMBEA 86-1, Architectural Act Rules and Regulations, 4/9/1986.

NMBEA 88-1, State of New Mexico Board of Examiners for Architects Rules and Regulations, 6/22/1988.

NMBEA 89-1, State of New Mexico Board of Examiners for Architects Rules and Regulations, 11/28/1989.

Regulation No. NMBEA 90-1, State of New Mexico Board of Examiners for Architects Rules and Regulations, 8/14/1990.

NMBEA Rule 2, Administration, 6/23/1980.

History of Repealed Material:

16 NMAC 30.2, Organization and Administration - Repealed, 9/6/2001.

History of 16.30.2 NMAC:

16.30.2 NMAC – Organization and Administration, filed 9/6/2001, was repealed and replaced by 16.30.2 NMAC – Organization and Administration, effective 9/26/2023.