

This rule was filed as NMSL Rule 85-1.

**TITLE 4        CULTURAL RESOURCES**  
**CHAPTER 5     STATE LIBRARY**  
**PART 1         GENERAL PROVISIONS**

**4.5.1.1        ISSUING AGENCY:** Office of Cultural Affairs, Library Division.  
[Recompiled 10/31/01]

**4.5.1.2        SCOPE:** [RESERVED]  
[Recompiled 10/31/01]

**4.5.1.3        STATUTORY AUTHORITY:** [RESERVED]  
[Recompiled 10/31/01]

**4.5.1.4        DURATION:** [Permanent.]  
[Recompiled 10/31/01]

**4.5.1.5        EFFECTIVE DATE:** [Filed February 28, 1985]  
[Recompiled 10/31/01]

**4.5.1.6        OBJECTIVE:** [RESERVED]  
[Recompiled 10/31/01]

**4.5.1.7        DEFINITIONS:** [RESERVED]  
[Recompiled 10/31/01]

**4.5.1.8        NEW MEXICO STATE LIBRARY WAIVER AND APPEAL PROCEDURE:**  
**A.        WAIVER OF REQUIREMENT:**

(1) All requests for waiver of state library requirements regarding state library rules and regulations, as filed with New Mexico records center, must be presented in writing to the state librarian. Requests should state reasons for request and/or conditions which make the request necessary.

(2) A waiver of requirement may be granted by the state librarian for a minimum of six (6) months but for no more than two (2) years.

**B.        APPEAL PROCEDURE:**

(1) Appeals shall be made in writing to the state librarian within ten (10) days of the action being appealed. The appeal should state all facts and conditions relating to the appeal. The state librarian will review the decision with the cultural affairs officer.

(2) An appeal concerning federal regulations and/or grant monies shall be made in writing to the state librarian with a copy to the chairman of the New Mexico advisory council on libraries. The appeal shall be made within ten (10) days of the action being appealed and should state all facts and conditions relating to the appeal. The state librarian will review the decision with the chairman of the New Mexico advisory council on libraries.

(3) All persons who submit an appeal in writing to be considered in connection with state library rules and regulations shall be notified in writing of the decision within ten (10) days.

[Recompiled 10/31/01]

**HISTORY OF 4.5.1 NMAC:**

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

NMSL Rule 81-1, New Mexico State Library Waiver and Appeal Procedure, 5-12-81.

NMSL Rule 85-1, New Mexico State Library Waiver and Appeal Procedure, 2-28-85.

History of Repealed Material: [RESERVED]