

NOTICE OF REGULAR MEETING AND OF RULEMAKING

The New Mexico Commission of Public Records (CPR) has scheduled a regular meeting and rule hearing for Tuesday, May 22, 2018, at 10:00 A.M. at the New Mexico State Records Center and Archives, which is an accessible facility, at 1209 Camino Carlos Rey, Santa Fe, NM. 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 Georgette Chavez at 476-7926 by May 8, 2018, or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats.

The Commission of Public Records (“CPR”) and State Records Administrator (“SRA”) may consider the following items of rulemaking at the meeting:

Amend:

- 1.21.2 NMAC Retention and Disposition of Public Records (CPR Rule)
- 1.13.12 NMAC Designation of Records Management Personnel (CPR Rule)
- 1.13.30 NMAC Disposition of Public Records and Non-Records (Joint CPR & SRA Rule)
- 1.13.10 NMAC Records Storage and Access (SRA Only)

Synopsis:

The proposed amendment of 1.21.2 NMAC consists of the following modifications:

- Section 7 is being amended to clarify the definition of a trigger event;
- Section 9 is being amended to remove language referencing the judicial branch and add language indicating that records transferred to the state archives will be reviewed for final disposition;
- Section 428 is being amended to modify the retention period; and
- Section 620 is being added to provide a classification for court proceedings records.

The proposed amendment of 1.13.12 NMAC consists of the following modification:

- Sections 9, 10, and 11 are being amended to clarify the training requirement renewal cycle.

The proposed amendment of 1.13.30 NMAC consists of the following modifications:

- Section 7 is being amended to clarify the definition of a trigger event;
- Section 11 is being amended to add language the State Records Administrator may suspend destruction of records determined to have historical value as well as the requirements for the electronic records certificate of destruction;
- Section 12 is being amended to add language the State Records Administrator may suspend destruction of records determined to have historical value and to identify the services that will be suspended due to past due invoices; and
- Section 13 is being amended to identify the services that will be suspended due to past due invoices.

The proposed amendment of 1.13.10 NMAC consists of the following modifications:

- Section 7 is being amended to clarify the definition of a trigger event; and
- Section 11 is being amended to identify the services that will be suspended due to past due invoices.

A summary of the proposed revisions and copies of the full text of the proposed rules may be accessed at the Commission’s website (www.nmcpr.state.nm.us), or by contacting Melissa Salazar at Melissa.Salazar@state.nm.us, or via regular mail at 1205 Camino Carlos Rey, Santa Fe, New Mexico 87505 or 476-7911.

At the hearing the CPR and Administrator will take oral and written comments related to the rulemaking actions listed below and during the meeting consider approving these rulemaking actions. The Commission may vote on the proposed rules during the meeting on May 22, 2018. The State Records Administrator may take action on those rules at the close of the public rulemaking hearing.

1205 Camino Carlos Rey | Santa Fe, NM 87507 | nmcpr.state.nm.us

Robert J. Tórréz
Historian/Chair

Hon. Hector Balderas
Attorney General

Hon. Wayne Johnson
State Auditor

Hon. Maggie Toulouse Oliver
Secretary of State

Veronica Gonzales
Department of Cultural Affairs

Edwynn Burckle
General Services Department

Lynne S. Rhys
State Law Librarian

Interested persons may submit comments on the proposed rules at the rule hearing or may submit written comments via email at rmd.cpr@state.nm.us. Written comments must be received no later than 5 p.m. on May 11, 2018. If submitting written comments by email, please indicate in the subject line the number of each rule(s) for which you are providing comments. Persons offering written comments at the hearing must have eight (8) copies for the Commission and Administrator to review. Oral comments will also be accepted at the rule hearing, subject to time limitations.

A copy of the agenda for the combined regular meeting and 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 Public Records Act, Section 14-3-1, et seq. and in the State Rules Act, Section 14-4-1, et seq. NMSA 1978.