# Notices of Rulemaking and Proposed Rules

## NEW MEXICO DEPARTMENT OF AGRICULTURE

Notice of Hearing

New Mexico Department of Agriculture (NMDA) will hold two (2) public hearings on the following rules:

* Creation of 21.16.13 NMAC, Weighing and Measuring Device Inspection Fees, under the Weights and Measures Law, Chapter 57, Article 17, Sections 1 through 19, New Mexico Statutes Annotated (NMSA), 1978 Compilation.

* 21.34.7 NMAC Egg Inspection Fees, under the Egg Grading Act, Chapter 25, Article 6, Sections 1 through 16, (NMSA) 1978 Compilation.

* 21.16.5 NMAC Agricultural Weights and Measures Bonding and Registration of Services Technicians and Services Establishments for Commercial Weighing or Measuring Devices, under the Weights and Measures Law, Chapter 57, Article 17, Sections 1 through 19, NMSA, 1978 Compilation.

NMDA is proposing to pass a new NMAC, which would establish weights and measures device inspection fees to recover costs associated with performing services for the inspection of weighing and measuring devices.

NMDA is proposing to amend 21.34.7 NMAC to increase the egg inspection fee on eggs sold in New Mexico to the retailer or consumer from 12 cents to 15 cents per case of 30 dozen. There has not been an increase in egg fees since 1971.

NMDA is proposing to amend 21.16.5 NMAC, which would strike 21.16.5.14 paragraph B. Paragraph A will include new language for Place-in-service Report.

A hearing will be held in Las Cruces, New Mexico, at the New Mexico State University's Physical Science Laboratory in the Anderson Hall Research Center auditorium, 1050 Stewart Street (Corner of Espina and Stewart), at 9:00 a.m. on Tuesday, May 24, 2011. A second hearing will be held in Albuquerque, New Mexico, at the NMSU Albuquerque Center, 4501 Indian School Road, NE, Suite 100, at 9:00 a.m. on Thursday, May 26, 2011.

Written statements in support or opposition and signed by the submitting person will be accepted if received prior to 5:00 p.m. on Thursda[illegible] written statem[illegible], David Turnin[illegible]NMDA, Standa[illegible]ivision, MSC [illegible] Cruces, New M[illegible]e (575) 646 -16[illegible]

AQD EXHIBIT 19
PENGAD 800-631-6989

A copy of all proposed rules will also be posted on the NMDA website http://nmdaweb.nmsu.edu/.

## ALBUQUERQUE-BERNALILLO COUNTY AIR QUALITY CONTROL BOARD

**ALBUQUERQUE-BERNALILLO COUNTY AIR QUALITY CONTROL BOARD**
**NOTICE OF HEARING AND REGULAR MEETING**

On June 8, 2011, at 5:30 pm, the Albuquerque-Bernalillo County Air Quality Control Board (Air Board) will continue a public hearing first opened on March 9, 2011, in the Vincent E. Griego Chambers located in the basement level of the Albuquerque-Bernalillo County Government Center, One Civic Plaza NW, Albuquerque, NM.

The hearing will address: Proposal to amend 20.11.21 NMAC, *Open Burning*, and incorporate an amended 20.11.21 NMAC into the New Mexico State Implementation Plan for Air Quality (SIP).

The Air Board requested that some modifications be made to the Air Quality Division's proposed "Public Review Draft, 12/22/10". These revisions have been incorporated into the "First Amended Public Review Draft, 3/25/2011", which is available at http://www.cabq.gov/airquality/aqcb/documents/20_11_21nmac-first-amended-publicreviewdraft-3-25-11.pdf

Proposed changes include: 1. New definitions for "Department" and "Director" to clarify the usage of this term within the rule; 2. Clarifying language regarding requests for a waiver to the 'no-burn' restriction; 3. Expanding "Conditionally Allowed Open Burning" by removing disqualification for cooking food "not intended for resale"; 4. Making stylistic and formatting changes to improve clarity and readability.

Following the hearing, the Air Board will hold its regular monthly meeting during which the Air Board is expected to consider adopting the proposed amendments to 20.11.21 NMAC, and incorporating the amended regulation into the SIP.

The Air Board is the federally delegated air quality authority for Albuquerque and Bernalillo County. Local delegation authorizes the Air Board to administer and enforce the CAA and the New Mexico Air Quality Control Act, and to require local air pollution sources to comply with air quality standards and regulations.

Hearings and meetings of the Air Board are open to the public and all interested persons are encouraged to participate. All persons who wish to testify regarding the subject of the hearing may do so at the hearing and will be given a reasonable opportunity to submit relevant evidence, data, views and arguments, orally or in writing, to introduce exhibits and to examine witnesses in accordance with the Joint Air Quality Control Board Ordinances, Section 9-5-1-6 ROA 1994 and Bernalillo County Ordinance 94-5, Section 6.

Anyone intending to present technical testimony is required by 20.11.82 NMAC, *Rulemaking Procedures - AQCB*, to submit a written Notice Of Intent (NOI) before 5:00 pm on May 24, 2011 to: Attn: Open Burning Hearing Record, Mr. Neal Butt, Albuquerque Environmental Health Department, P.O. Box 1293, Albuquerque, NM 87103, or in person in Room 3023, 400 Marquette Avenue NW. The NOI shall identify the person's name, address and affiliation.

In addition, written comments to be incorporated into the public record should be received at the above P.O. Box, or Environmental Health Department office, before 5:00pm on June 1, 2011. The comments shall include the name and address of the individual or organization submitting the statement. Written comments may also be submitted electronically to nbutt@cabq.gov and shall include the required name and address information.

Interested persons may obtain a copy of the proposed regulation at the Environmental Health Department Office, or by contacting Mr. Neal Butt, Albuquerque Environmental Health Department, P.O. Box 1293, Albuquerque, NM 87103, or by phone 768-2660, or by e-mail at nbutt@cabq.gov , or by downloading a copy from the City of Albuquerque Air Quality Division website.

**NOTICE FOR PERSON WITH DISABILITIES**: If you have a disability and/or require special assistance please call (505) 768-2600 [Voice] and special

assistance will be made available to you to review any public meeting documents, including agendas and minutes. TTY users call the New Mexico Relay at 1-800-659-8331 and special assistance will be made available to you to review any public meeting documents, including agendas and minutes.

## NEW MEXICO BOARD OF CHIROPRACTIC EXAMINERS

LEGAL NOTICE

Public Rule Hearing and Regular Board Meeting

Notice is hereby given that the New Mexico Board of Chiropractics will hold a Rule Hearing and Regular Board Meeting on **June 7, 2011.** Following the Rule Hearing, the New Mexico Board of Chiropractics will convene a regular meeting to adopt the rules and take care of regular business. The New Mexico Board of Chiropractics Rule Hearing will begin at 10:00 a.m. and the Regular Board Meeting will convene following the Rule Hearing. Portions of the regular meeting may be closed to the public while the Board is in Executive Session *Pursuant to§10-15-1.H of the Open Meetings Act.*

The meetings will be held at the Regulation and Licensing Department, **2550 Cerrillos Road, Santa Fe, NM 87505.**

The purpose of the Rule Hearing is to consider adoption of proposed amendments, repeals and additions to the following Board Rules and Regulations in Title 16, Chapter 4 NMAC: Part 1 General Provisions, Part 3 Requirements for Licensure, Part 4 License without Examination, Part 9 License Renewal Procedures, Part 10 Continuing Education, Part 12 Classification of Chiropractic Licensure, Part 13 Reinstatement of Chiropractic Licensure, Part 15 Chiropractic Advanced Practice certification Registry.

Copies of the proposed rule changes may be obtained by contacting the board office in writing at the Toney Anaya Building located at 2550 Cerrillos Road in Santa Fe, New Mexico 87505, call (505) 476-4695, or from the board's website: http://www.rld.state.nm.us/chiropractic after **May 7, 2011**. In order for the Board members to review the comments in their meeting packets prior to the meeting, persons wishing to make comments regarding the proposed rules must present them to the Board office in writing no later than **May 27, 2011**. Persons wishing to present their comments at the hearing will need (9) copies of any comments or proposed changes for distribution to the Board and staff.

If you have questions, or if you are an individual with a disability who wishes to attend the hearing or meeting, but you need a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to participate, please call the Board office at (505) 476-4695 at least two weeks prior to the meeting or as soon as possible.

Amanda Roybal, Administrator
P.O. Box 25101 - Santa Fe, New Mexico 87504

## NEW MEXICO DEPARTMENT OF CULTURAL AFFAIRS

MUSEUM OF NATURAL HISTORY AND SCIENCE

**Public Rule Hearing and Special Board Meeting**
**Held at New Mexico Museum of Natural History & Science**
**A Division of the Department of Cultural Affairs - State of New Mexico**

**May 11, 2011**
**Public Rule Hearing at 2:00pm - 3:00pm**
**Special Board Meeting 3:00pm - 4:00pm**
**Museum Multipurpose Room - 1ST Floor**
**1801 Mountain Road, NW**
**Albuquerque, New Mexico 87104**
**(505) 841-2846**

**NOTICE** is hereby given that the New Mexico Museum of Natural History and Science (NMMNHS) will hold a Rule Hearing and Special Board Meeting on **May 11, 2011, starting at 2:00pm**. Following the Rule Hearing, the Board of Trustees will convene a special board meeting to adopt the proposed changes to *Rule 4.53.2 NMAC.* The purpose of the Rule Hearing is to consider adoption of proposed amendments, repeals and additions to the Title 4, Chapter 53, Part 2, NMAC:

**Amendments**

**Proposed Admission Increase 4.53.2.8(B):** Dynatheater admission fees for Adults changes to $10.00 from $7.00; Seniors (60+) changed to $8.00 from $6.00; and Children (3-12) changed to $6.00 from $4.00.

**Proposed Deletion of Rule 4.53.2.8(D):** NMMNHS proposes to omit Section (D) entirely, as the lodestar virtual voyages simulator ride no longer exists. In addition the word "lodestar" should be deleted permanently as "lodestar" is nonexistent.

**Proposed Amendment 4.53.2.3:** NMMNHS and the Sandia Mountain Natural History Center (SMNHC) authorize free museum exhibits admission to all New Mexico Residents (with proof thereof) the first Sunday of every month.

Admission to museum exhibits is free to all Veterans (with proof thereof) on November 11th (Veterans Day).

The NMMNHS is closed to the public on the following state holidays: Thanksgiving Day, Christmas Day, and New Year's Day.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the public hearing, please contact Denise Hidalgo before May 2, 2011 by calling (505) 841-2846 or email Denise.Hidalgo@state.nm.us. A copy of the proposed rule can be obtained by contacting Ms. Hidalgo via the contact information stated, as well as submission of the public comments on the proposed rules.

## NEW MEXICO DNA IDENTIFICATION SYSTEM OVERSIGHT COMMITTEE AND ADMINISTRATIVE CENTER

NEW MEXICO DNA IDENTIFICATION SYSTEM OVERSIGHT COMMITTEE & ADMINISTRATIVE CENTER

NOTICE OF MEETING AND PUBLIC HEARING ON AMENDMENT OF RULES

Tuesday May 17, 2011, 11:00 AM, Criminalistics Conference Room, Metropolitan Forensic Science Center, 5350 2nd Street NW, Albuquerque, NM 87107

To comment on, or for additional information including a copy of the agenda and proposed amendments, or if you have a disability and you require special assistance to participate in this meeting contact John Krebsbach, Chairperson at (505) 823-4630 by Monday May 16, 2011.