

## NOTICE OF PROPOSED RULEMAKING

Notice is hereby given that the Museum of New Mexico Board of Regents (BOR) and the Department of Cultural Affairs (DCA) will hold a public hearing on Friday, November 17, 2017, at 10:00 A.M. in Room 238, the Old Senate Chambers, of the Bataan Memorial Building, 407 Galisteo Street, Santa Fe, New Mexico 87501. The purpose of the hearing is to receive oral and written comments on proposed rule repeals and on a proposed new rule.

The BOR and the DCA are proposing to repeal the following parts contained in Title 4, Chapter 51, of the NMAC: 4.51.1, 4.51.4, 4.51.8, 4.51.9, 4.51.10, 4.51.13, 4.51.14, 4.51.17, 4.51.20, 4.51.24, 4.51.26, 4.51.27, 4.51.29, 4.51.30, 4.51.31, 4.51.32, 4.51.36, 4.51.38, 4.51.39, 4.51.40, 4.51.42, 4.51.43, 4.51.45, 4.51.46, 4.51.47, 4.51.48, 4.51.51, 4.51.52, 4.51.53, 4.51.54, 4.51.55, 4.51.58, and 4.51.59 NMAC.

Parts 1 and 4 contain outdated provisions or historical background that is not rule material. The subject matter of Parts 14, 17, 20, 26, 30, 38, 40, 42, 47, 51, and 54, is more appropriately addressed in policy, as it does not directly impact agencies or persons outside the DCA. Similarly, the subject matter of Parts 1, 8, 9, 10, 13, 27, 28, 29, 31, 32, 36, 39, 43, 48, 55, and 59 is addressed in the Museum of New Mexico (MONM) Collections Policy, the MONM Code of Ethics or other MONM policies. The subject matter in Parts 36, 52 and 53 is covered in contracts or leases. Provisions of parts 45 and 46 are suggestive and non-binding. Part 24 recites state statute.

The BOR and the DCA are proposing to replace 4.51.1 NMAC with a new rule in order to establish procedures for BOR meetings, including the election of officers, officer duties, annual and regular meeting schedules, and submission of agenda items. The proposed rule also sets forth the duties and responsibilities of the BOR, and provisions on organization of the museum and acquisition and control of real property and collections. The BOR and DCA are proposing these rule changes pursuant to Subsection E of Section 9-4A-6 NMSA 1978 and Subsection G of Section 18-3-3 NMSA 1978.

The proposed rule is available at the DCA website: <http://www.newmexicoculture.org>. To request that a copy of the proposed rule be mailed to you, submit your request in writing to Shirley Lujan, Museum Resources Center, Dept. of Cultural Affairs, 725 Camino Lejo, Santa Fe, New Mexico 87504, or by email to [Shirley.Lujan@state.nm.us](mailto:Shirley.Lujan@state.nm.us).

Any person may appear at the hearing and make oral comments, or submit written comments, or both. Written comments may also be submitted by mail or email to Shirley Lujan at the addresses noted above. Written comments are due by 10:00 a.m. on November 17, 2017. Interested persons may also provide data, views or arguments, orally or in writing, at the public rule hearing to be held on November 17, 2017.

Individuals 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 hearing should contact Shirley Lujan at 505-476-1126 at least five business days prior to the hearing.