

NOTICE OF RESCHEDULED PUBLIC HEARING

The Construction Industries Division will convene a public hearing on the following proposed changes to the administrative code to include amendments to its rules 12.2.15 – SALE OF RECYCLED METALS, and 12.2.16 – APPLICATION FOR REGISTRATION. The hearing will be held before a hearing officer, at which time any interested person is invited to submit data, views or arguments on the proposed changes, either orally or in writing and to examine witnesses testifying at the hearing. The original public notice hearing scheduled for December 13, 2021, was cancelled and is reset through this notice to February 18, 2022.

The proposed rules will add definitions of “military service member” and “veteran” to the Recycled Metals administrative code, and will expedite issuance of registrations for military service members and veterans as secondhand metal dealers, and waive registration fees for the first three years of the registration’s issuance.

The purpose for the proposed rules is to expedite and make less financially burdensome for military service members and veterans the process of seeking and obtaining a secondhand metal dealer’s registration.

The specific legal authority authorizing the proposed rules and their adoption is NMSA 1978, § 57-30-10 and NMSA 1978, § 61-1-34.

The hearing is scheduled as follows:

The hearing shall begin at 9 a.m., February 18, 2022, and will remain open until 9:30 a.m., or until participants have an opportunity to make public comment, whichever is longer. Due to the ongoing public health concerns posed by the threat of the contagious disease COVID-19, the rule hearing will be virtual via an Internet-based video conference and via telephone.

Interested persons may secure copies of the proposed changes by accessing the Construction Industries Division website (<https://www.rld.nm.gov/construction-industries>) to download the proposed rules or by written request to the Recycled Metals Program Office, P.O. Box 25101, Santa Fe, New Mexico 87504, attention: Mary James.

In order to ensure that the rules hearing is open to the public in a manner allowing members of the public to participate while social distancing due to COVID-19, the division shall implement the following procedures: You may send written comments to Construction Industries Division, P.O. Box 25101, Santa Fe, New Mexico 87504, Attention: Public Comments. Written comments may also be faxed to (505) 476-4702 or submitted to Mary James at her email address: mary.james2@state.nm.us. All written comments must be received no later than 5:00 p.m., on Thursday, February 17, 2022. You may also review submitted comments by contacting Mary James at her email address above. All public comment received shall be admitted into the record during the public hearing.

Written comments may also be received on the day of the hearing as a division representative shall be stationed at the each of the division offices: Toney Anaya Building, Santa Fe; 5500 San Antonio NE, Suite F, Albuquerque; and 505 S. Main St., Suite 103, Las Cruces, between 8:00 and 9:00 a.m. to receive written comments and to provide for the comments to be admitted into the record during the public hearing. Those desiring to participate in the public video/telephonic hearing process may do so by remote participation through livestreaming the meeting or becoming a participant by following these instructions:

Join from the meeting link

Join via Video:

<https://nmrld.webex.com/nmrld/onstage/g.php?MTID=ef53789e3282e182b859aa4228e5a1361>

Once you join through the above link you will be provided instructions for accessing the meeting.

Event password not required.

Join via telephone:

United States Toll

+1-415-655-0002

Access code: 2480 263 9804

No password required.

You may also access the division's website (<https://www.rld.nm.gov/construction-industries>) the day of the hearing to locate instructions for participating in the hearing. All persons desiring to make public comment during the hearing shall do so through the WebEx process notifying the host who shall then ensure the ability for recorded comment. If you have any issues you may contact Mary James (505) 476-4616.

All public comments and documentation will be entered into the record during the public rules hearing. If you require special accommodations to attend the hearing, please notify CID by phone, email, or fax, of such needs as soon as possible to ensure adequate accommodations. Telephone: (505) 476-4616. Email: mary.james2@state.nm.us; Fax No. (505) 476-4702.

Any individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or other form of auxiliary aid or service to attend or participate in the hearing should contact Mary James, Santa Fe Supervisor, at mary.james2@state.nm.us or (505) 476-4616 at least seven (7) days prior to the hearing.