

## NOTICE OF PROPOSED RULEMAKING

The New Mexico General Services Department, Risk Management Division and the Facilities Management Division, (“GSD” or “Department”) hereby gives notice that the Department will conduct a public hearing as indicated to obtain input on the following rule revisions:

Repealing and replacing **1.6.4 NMAC - STATE LOSS PREVENTION AND CONTROL PROGRAM** current rule and replacing it with the following rule:

**SUMMARY AND PURPOSE OF THE PROPOSED RULE:** The current State Loss Prevention and Control Program rule 1.6.4 NMAC, addressed direction for agencies in the prevention and control of insurable losses, required training for state employees, articulated management’s responsibility regarding safety and loss control and prevention, and implemented reporting requirements of the Risk Management Division to the Legislature regarding agencies that are noncompliant with the rule. The new rule provides additional detail to address situations not outlined in the original rule, including:

1. Clarifying the scope and definitions sections of the rule;
2. Clarifying the roles and responsibilities of the State Loss Control Manager, the Agency Loss Prevention and Control Coordinator and the Loss Prevention and Control Committee;
3. Providing direction on Incident and Loss Investigations;
4. Addressing safety and loss prevention and control training for employees; and
5. Clarifying procedures for agencies on job-related injury or illness claims management.

The State Loss Prevention and Control Program rule revisions are based on cross-industry risk management best practices and emerging trends in the field. While the new program is designed to help agencies mitigate losses, no technical information serves as a basis for this proposed rule.

Repealing and replacing **1.6.3 NMAC - BUDGETING AND PAYMENT OF ASSESSMENTS FOR UNEMPLOYMENT COMPENSATION BENEFITS BY STATE AGENCIES AND LOCAL PUBLIC BODIES** current rule and replacing it with the following rules:

**SUMMARY AND PURPOSE OF THE PROPOSED RULE:** The current rule NMAC 1.6.3 Budgeting And Payment Of Assessments For Unemployment Compensation Benefits By State Agencies And Public Bodies did not provide procedures in which local public bodies could enter and leave the local public body unemployment fund. The new rule provides additional detail to address situations not outlined in the original rule, including:

1. Clarifying scope and objective, and;
2. Providing procedures for local public bodies that want to participate in the Local Public Body Unemployment Compensation Reserve Fund.

Covered Local Public Bodies have asked for Budgeting and Payment of Assessments for Unemployment Compensation Benefits by State Agencies and Public Bodies rule revisions to clarify the administration process and focus operations. No technical information serves as a basis for this proposed rule.

A proposed new rule: **1.5.9 NMAC - PUBLIC FACILITY NAMING** as follows:

**SUMMARY AND PURPOSE OF THE PROPOSED NEW RULE:** The new rule Public Facility Naming provides procedures for the naming of public facilities that are owned by the General Services Department. The new rule provides the following details:

1. Definitions;
2. Scope and Objective;
3. Procedures for soliciting proposed names; and
4. Process in selecting the name.

Senate Bill 46, passed in the 2018 session requires the General Services Department to promulgate a Public Facility Naming rule. No technical information serves as a basis for this proposed rule.

**PUBLICATION:** The proposed rules and hearing agenda have been published and are also posted for public view for NMAC 1.6.4 and NMAC 1.6.3 on the Risk Management Division website:

<http://www.generalservices.state.nm.us/riskmanagement/>. The proposed rules and hearing agenda have been

published and are also posted for public view for the new rule on Public Facility Naming on the Facilities Management Division website: <http://www.generalservices.state.nm.us/facilitiesmanagement/>.

A public hearing regarding the rules will be held on Wednesday, September 26, 2018 at 9:00 A.M. in the State Purchasing Bid Room on the first floor of the Joseph Montoya Building, 1100 S. St. Francis Drive, Santa Fe, New Mexico 87505.

**HOW TO COMMENT ON THE PROPOSED RULE:** Interested individuals may testify regarding the proposed rulemaking relating to NMAC 1.6.4 STATE LOSS PREVENTION AND CONTROL PROGRAM, NMAC 1.6.3 BUDGETING AND PAYMENT OF ASSESSMENTS FOR UNEMPLOYMENT COMPENSATION BENEFITS BY STATE AGENCIES AND LOCAL PUBLIC BODIES and NEW RULE PUBLIC FACILITY NAMING at the public hearing scheduled on Wednesday, September 26, 2018 in the State Purchasing Bid Room on the first floor of the Joseph Montoya Building, 1100 S. St. Francis Drive, Santa Fe, New Mexico 87505. Written comments may also be submitted no later than the date of the public hearing to: Rebecca Abbo, Internal Auditor, Office of the Secretary, New Mexico General Services Department, Room 1004, 1100 St. Francis Drive, Santa Fe, New Mexico 87505 or [Rebecca.abbo2@state.nm.us](mailto:Rebecca.abbo2@state.nm.us).

**PROPOSED RULE COPIES:** The public hearing agenda and the full text of the proposed rule for NMAC 1.6.3 and 1.6.4 may be accessed on the Risk Management Division website and the new rule on Public Facility Naming on the Facilities Management Division website: <http://www.generalservices.state.nm.us/riskmanagement/> <http://www.generalservices.state.nm.us/facilitiesmanagement/> or obtained from Rebecca Abbo by request to: Rebecca Abbo, Internal Auditor, Office of the Secretary, New Mexico General Services Department, Room 1004, 1100 St. Francis Drive, Santa Fe, New Mexico 87505 or [Rebecca.abbo2@state.nm.us](mailto:Rebecca.abbo2@state.nm.us), or Phone 505-476-1453, or Fax 505-827-2041.

**SPECIAL NEEDS:** Individuals with disabilities who require this information in an alternative format or need any form of auxiliary aid to attend or participate in this hearing are asked to contact, Rebecca Abbo (contact information provided above). The Department requests at least seven days advanced notice (by close of business 5:00 P.M. on Tuesday, September 18, 2018) for all requests regarding special accommodations.

**STATUTORY AUTHORITY:** Section 9-17-5 NMSA 1978, and Section 15-7-3(A)(9) NMSA 1978 (Loss Prevention and Control Program), Section 51-1-46 NMSA 1978 (Budgeting and Payment of Assessments for Unemployment Compensation Benefits by State Agencies and Local Public Bodies) and Section 15-3B-1 NMSA 1978, et seq. (Public Facility Naming).