

NOTICE TO PUBLISHING AGENCY

Attached is your agency's **Confirmation Copy** of material published in the New Mexico Register. This is a legal copy that documents the fact that your Notice of Rule Making and/or your Proposed Rule and/or your Adopted Rule has been published as required by law in the New Mexico Register. *It is extremely important that this Confirmation Copy be placed in your permanent administrative files* along with your Minutes of Meetings. This Confirmation Copy will be inspected by the State Auditor at the time your next annual audit is conducted (SA Rule 91-1). *Failure to comply with this requirement will impact your agency's Audit Report.*

New Mexico Register

Volume II Number 18

September 30, 1991

Albuquerque: Tireman Library, UNM; Albuquerque Public Schools, Oak Street	Gallup, John F. Kennedy Middle School Auditorium, 600 S. Boardman Dr.	Oct. 15, 1991	7:00 p.m.
Santa Fe: Fogelson Library, College of Santa Fe, 1600 St. Michaels	Santa Fe, State Education Bldg., Mabry Hall, 300 Don Gaspar	Oct. 15, 1991	6:30 p.m.
Farmington: Learning Resources Center, San Juan College	Chama Elementary School Auditorium	Oct. 16, 1991	7:00 p.m.
Hobbs: College of the Southwest, Scarborough Memorial Library	Farmington High School, Little Theatre, 2200 Sunset Ave.	Oct. 16, 1991	7:30 p.m.
Portales: Education Building Resource Center, Eastern New Mexico University	Silver City High School Auditorium, 32nd & Silver Streets	Oct. 17, 1991	7:00 p.m.
Las Vegas: Education Building, Highlands University	Albuquerque, TVI Board Room, 525 Buena Vista, S.E.	Oct. 17, 1991	4:00 p.m.
Las Cruces: Learning Resource Center O'Donnell Hall, New Mexico State University	Raton High School Library, 1535 Tiger Circle	Oct. 17, 1991	7:00 p.m.
Silver City: Sechler Hall, Western New Mexico University	Alamogordo, New Mexico State University, Alamogordo Branch, Rehovec Building	Oct. 18, 1991	7:00 p.m.

NEW MEXICO STATE BOARD OF EDUCATION

NOTICE OF PUBLIC HEARING

The New Mexico State Department of Education ["Department"] will convene public hearings as set forth herein for the purpose of receiving comments on the following matters:

Proposed Standards for Excellence, which was mailed to all school superintendents, public schools, accredited private schools, and other education agencies in August, 1991.

The hearings will be held on the following dates and times:

<u>Place</u>	<u>Date</u>	<u>Time</u>
Hobbs Municipal Schools, Central Office Conference Room, 1515 E. Sanger	Oct. 7, 1991	6:30 p.m.
Las Vegas, Highlands University, Student Center	Oct. 9, 1991	6:30 p.m.
Las Cruces Public Schools, Board Meeting Room, 301 West Amador Ave.	Oct. 10, 1991	5:00 p.m.
Los Lunas Central Office Board Room	Oct. 14, 1991	7:00 p.m.
Roswell, Eastern New Mexico University, Roswell Campus, Multi-Purpose Room 110	Oct. 14, 1991	6:00 p.m.
Clovis Community College, Town Hall	Oct. 15, 1991	6:30 p.m.

We strongly encourage you to attend the hearing that is most convenient to you or you may respond in writing to Jeanne Knight, Associate

CERTIFICATION OF PUBLICATION IN THE NEW MEXICO REGISTER

Vol. II, 18 dtd 9/30/91

BY: C. Gullahorn 9/30/91
CLAIRE GULLAHORN, MGR/EDITOR

NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION
Santa Fe, New Mexico

NOTICE OF PUBLICATION

The State of New Mexico by its Oil Conservation Commission hereby gives notice pursuant to law and Rules and Regulations of said Commission promulgated thereunder of the following public hearing to be held at 9:00 A.M. on THURSDAY, OCTOBER 10, 1991, at Morgan Hall, State Land Office Building, Santa Fe, New Mexico.

STATE OF NEW MEXICO TO:

All names parties and persons
having any right, title, interest

New Mexico Register

Volume II Number 18
September 30, 1991

NOTICES

NEW MEXICO BOARD OF EXAMINERS FOR ARCHITECTS

NOTICE OF PUBLIC HEARING ON RULES AND REGULATIONS CHANGES

There will be a public hearing regarding changes to the Rules and Regulations of the Board of Examiners for Architects held on Friday, November 8, 1991 at 9:00 a.m. in the Board Conference Room located at 112 W. Marcy Street, Suite 400, Santa Fe, New Mexico.

The principle issue to be addressed is inclusion of the definition of incidental practice for architects and engineers. Other modifications will be considered. Copies of the recommended changes are available from the Board office.

NEW MEXICO STATE CORPORATION COMMISSION

BEFORE THE STATE INSURANCE
BOARD OF NEW MEXICO

IN THE MATTER OF THE
PROMULGATION OF A REGULATION
RELATING TO WORKERS'
COMPENSATION

Docket No. 91-127-IN

NOTICE OF HEARING

PLEASE TAKE NOTICE that the Superintendent of Insurance ("Superintendent"), acting in his capacity as secretary of the State Insurance Board and pursuant to NMSA 1978, Sections 59A-2-9, 59A-3-6, 59A-4-15, 59A-4-16, 59A-4-18, 59A-17-5, 59A-17-8 and 59A-33-10 (1988 repl. Pam.), will conduct an infor-

mal public hearing on October 24, 1991, to receive written and oral comments, testimony and evidence of interested persons concerning a proposed regulation relating to the Basis of Premium for Workers' Compensation Insurance.

The hearing will be held at 9:30 a.m. on October 24, 1991 at the PERA Building, Fourth Floor Hearing Room, 500 Old Santa Fe Trail and Paseo de Peralta, Santa Fe, New Mexico. The Superintendent has delegated his authority to the Deputy Superintendent of Insurance, Thomas R. Rushton, to preside as the hearing officer at this hearing.

The regulation proposed by the Staff of the New Mexico Department of Insurance ("Staff") purports to establish criteria of a Premium Base; the Premium Base shall reflect the exposure to the insured against hazard and insurance coverage to be marketed at a fair price. Staff's proposed regulation shall define and alter a workable and uniform application of the system.

The proposed regulations in this docket may be inspected and copied during regular business hours at the office of the Chief Clerk for the State Corporation Commission at the address noted below.

Comments and alternative proposals will be received in both written and oral form. Written comments and alternative proposals should not exceed twenty (20) pages in length, must be received not later than five (5) days prior to the date of the hearing and should be identified as pertaining to docket 91-127-IN and mailed or delivered to the Superintendent at the following address:

Fabian Chavez, Jr.
Superintendent of Insurance
Attn: Richard I. Harris, Chief Clerk
Fourth Floor, PERA Building
P. O. Drawer 1269
Santa Fe, New Mexico 87504-1269

DONE AND ORDERED this 19th day of September, 1991

/s/ FABIAN CHAVEZ, JR.
Superintendent of Insurance

ATTEST:

/s/ Richard I. Harris, Chief Clerk

NEW MEXICO STATE BOARD OF EDUCATION

NOTICE

The New Mexico State Board of Education ["Board"] will convene on Thursday, October 3, 1991, at 1:30 p.m. in Mabry Hall, State Education Building, 300 Don Gaspar, Santa Fe, New Mexico, for the purpose of conducting a regularly scheduled meeting.

The New Mexico State Department of Education will recommend that the Board approve the following textbook adoption at the meeting:

(a) Social Studies, Library & Reference Materials

(b) Additions to Series/Language Acquisition K-12

Copies of the Agenda have been disseminated in accordance with the Board's Open Meetings Policy. In addition, Public Notice was published in the Albuquerque Journal on September 1, 1991, of the Public Hearing convened by the Board's Instructional Materials Subcommittee at Albuquerque T-VI on September 27, 1991 at 10:00 a.m. for the purpose of receiving reports from screening committees and further receiving comments from the public before recommending materials for final adoption by the Board at its October meeting.

Samples of materials submitted for adoption are available for review at the locations listed below. Written comments on a Hearing Form will be accepted until Wednesday, October 2, 1991, at 5:00 p.m. and may be submitted to the Director, Instructional Materials, State Department of Education, Education Building, 300 Don Gaspar, Santa Fe, New Mexico 87501-2786. However, the submission of written comments as soon as possible is encouraged.

Hearing Forms and additional information may be obtained from the Instructional Materials Director and the regional centers listed below:

New Mexico Register

Volume II Number 18

September 30, 1991

or claim in the following cases
and notice to the public.

(NOTE: All land descriptions herein refer to the New Mexico Principal Meridian whether or not so stated.)

CASE 10398:

In the matter of the hearing called by the Oil Conservation Division on its own motion to amend Rules 403 and 1110 of the General Rules and Regulations of the New Mexico Oil Conservation Division by adopting alternate methods for measuring and reporting gas production from low capacity wells.

RULE 403. - NATURAL GAS FROM GAS WELLS TO BE MEASURED

A. All natural gas produced shall be accounted for by metering or other method approved by the Division and reported to the Division by the transporter of the gas. Gas produced from a gas well and delivered to a gas transportation facility shall be reported by the owner or operator of the gas transportation facility. Gas produced from a gas well and required to be reported under this rule, which is not delivered to and reported by a gas transportation facility shall be reported by the operator of the well.

B. An operator may apply to the OCD District Supervisor, using form C-110, for approval of one of the following procedures for measuring gas:

(1) In the event a well is not capable of producing more than 15 MCFD, a measurement method agreed upon by the operator and pipeline whereby the parties establish by annual test the producing rate of said well under normal operating conditions and apply that rate to the period of time the well is in a producing status. In the event such well is capable of producing greater than 5 MCFD, a device shall be attached to the line which will determine the actual time period that the well is flowing.

(2) Any well which has a producing capacity of 100 MCFD or less and which is on a multi-well lease may be produced without being separately metered when the gas is measured using a lease meter at a Central Point Delivery (CPD). The ownership of the lease must be common throughout including working interest, royalty and over-

riding royalty ownership.

C. Operators and transporters shall report the well volumes on Forms C-115 and C-111 based upon the approved method of measurement and, in the case of a CPD, upon the method of allocation of production to individual wells approved by the District Supervisor.

RULE 1110 - APPLICATION FOR APPROVAL TO USE AN ALTERNATE GAS MEASUREMENT METHOD (FORM C-110)

A. Form C-110 shall be used in authorizing an alternate procedure for measuring gas production from a well which is not capable of producing more than 15 MCFD (Rule 403.B.(1)) or for any well which has a producing capacity of 100 MCFD or has and is on a multi-well lease (Rule 403.B.(2)).

B. All applicable information required on Form C-110 shall be filled out with the required supplemental information attached, and shall be submitted in QUADRUPPLICATE to the appropriate district office of the Division.

GIVEN Under the Seal of the New Mexico Oil Conservation Commission of New Mexico on this 24th day of September, 1991.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

/s/ WILLIAM J. LEMAY, Director

S E A L

NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD

NOTICE OF PUBLIC HEARING TO
CONSIDER PROPOSED AMENDMENTS
TO THE STATE IMPLEMENTATION
PLAN'S AIR QUALITY PROVISIONS FOR
ANTHONY, NEW MEXICO

The New Mexico Environmental Improvement

Board will hold a public hearing on November 8, 1991, beginning at 1:00 p.m., in the Harold Runnels Building Auditorium, 1190 St. Francis Drive, Santa Fe, New Mexico, to consider proposed amendments to the State Implementation Plan (SIP) for Air Quality.

The proponent of the amendment is the New Mexico Environment Department. The proposal consists of revisions to the PM₁₀ (particulate matter less than or equal to 10 microns in diameter) SIP for Anthony, New Mexico. The proposed amendment is required in order for the State to meet requirements contained in the federal Clean Air Act.

The proposed amendment may be reviewed during regular business hours at the office of the Environmental Improvement Board, Harold Runnels Building, 1190 St. Francis Drive, Room S-4100, Santa Fe, NM or copies may be obtained by contacting Ms. Lany Weaver, Air Quality Bureau Environmental Engineer, 1190 St. Francis Drive, Room S-2100, Santa Fe, NM, telephone number 827-2859.

All interested persons will be given a reasonable opportunity at the hearing to submit relevant evidence, data, views, and arguments, orally or in writing, to introduce exhibits and to examine witnesses in accordance with the Environmental Improvement Act, Section 74-1-9 NMSA 1978, the Air Quality Act, section 74-2-6 NMSA 1978 and the Board's Guidelines Governing hearings.

Persons desiring to present technical testimony shall submit to the Board a written statement of intent to do so. Persons paraphrasing, summarizing or reading from a prepared statement must submit the written testimony together with the statement of intent and shall be received by the Office of the Board not later than 5:00 p.m. October 29, 1991. Notices of intent must include:

1. name and qualification of each technical witness;
2. the name of the person proffering the witness;
3. whether the person proffering the witness is a proponent, opponent, or interested party;
4. description of the nature, subject and anticipated length of the testimony;
5. identify the specific aspects and proposed action along with alternative language proposal where appropriate;
6. a list and description of technical exhibits to be offered in connection with the

New Mexico Register

Volume II Number 18
September 30, 1991

witness' testimony.

Non-technical written statements to be incorporated into the public record must also be received by 5:00 p.m., October 29, 1991. All statements for the record shall be entitled: "Statement for the public record regarding proposed SIP Revisions: November 8, 1991."

NOTE: A meeting of the Board will be convened after the hearing to consider action on this proposal.

/s/ Roy S. Walker, Acting Chairman

NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION

LOCAL GOVERNMENT DIVISION

NOTICE OF HEARING

Pursuant to Section 9-6-5, NMSA 1978, notice is hereby given that the Department of Finance and Administration, Local Government Division (DFA) will hold a public hearing on the following matter: It is proposed that an amendment to DFA Rule 74-9, Regulations Re: The Collection and Distribution of Property Taxes by County Treasurers, December 31, 1974, be adopted which would revise the provision on interest and penalties placed in the County General Fund.

The hearing is scheduled for 8:00 a.m., November 1, 1991, in the State Land Office, Morgan Hall, 310 Old Santa Fe Trail, Santa Fe, New Mexico.

All interested persons are requested to attend and present their views. Copies of the proposed amendment may be obtained from the Local Government Division, DFA, 180 Bataan Memorial Building, Santa Fe, New Mexico 87503, telephone number 827-8050.

Written comments are solicited and should be submitted to the Local Government Division, DFA, at the address above by October 15, 1991.

NEW MEXICO DEPARTMENT OF GAME AND FISH

STATE GAME COMMISSION

MEETING NOTICE

The State Game Commission will meet at 9 a.m. October 2, at The Inn at Rio Rancho, 1465 Rio Rancho Drive, Rio Rancho. The agenda includes:

Approval of minutes for September 20; a report from the Deer/Antelope Council and Elk/Bear Council; A Class "A" Park application from the Bar X Bar Ranch; discussion of the Sikes Act; and a discussion of a guide license.

NEW MEXICO HUMAN SERVICES DEPARTMENT

MEDICAL ASSISTANCE DIVISION

The New Mexico Human Services Department will hold a hearing on Wednesday, October 30, 1991, at 1:30 p.m. in the conference room of the Kennedy Building (located at 331 Sandoval Street in Santa Fe, New Mexico).

The Department is proposing that a woman who is determined retroactively eligible for Medicaid for either the month her child was born, or a preceding month within the three month retroactive period, is deemed to have been eligible for and receiving Medicaid at the time the child was born. Her child will qualify for Category 031 under the same conditions as an infant whose mother applied for and received Medicaid prior to the birth. This retroactivity regulation applies to all categories of Medicaid covering pregnant women.

Interested persons may testify at this hearing or may submit written comments no later than

October 30, 1991 to Richard W. Heirn, Secretary, Human Services Department, P. O. Box 2348, Santa Fe, New Mexico 87504-2348.

Copies of the proposed regulation may be obtained by sending a self-addressed stamped envelope to Medical Assistance Division, P. O. Box 2348, Santa Fe, New Mexico 87504-2348.

NEW MEXICO REGULATION AND LICENSING DEPARTMENT

CONSTRUCTION INDUSTRIES
COMMISSION

Notice is hereby given that the Construction Industries Commission will hold a regular meeting on Friday, October 18, 1991 at 9:30 a.m. in the Conference Room of the Regulation and Licensing Department, 725 St. Michaels Drive, Santa Fe, NM.

The Commission will consider pending agenda items and discuss such other business as may require formal action by the Commission.

NEW MEXICO WATER QUALITY CONTROL COMMISSION

NOTICE OF PUBLIC HEARING
FOR THE
NEW MEXICO WATER QUALITY
CONTROL COMMISSION

September 13, 1991

Pursuant to Sections 74-6-4.C and 74-6-6 of the New Mexico Water Quality Act, NMSA 1978 and Section 303(c)(1) of the Clean Water Act, 33 U.S.C. 1251 et seq., notice is hereby given that the New Mexico Water Quality Control Commission has rescheduled the public hearing formerly set for October 3,