

NOTICE OF RULEMAKING

The Department of Finance and Administration's ("Department") Local Government Division (the Division) is proposing to create the New Mexico Administrative Code (NMAC) rule 2.91.3 NMAC, *Review and Selection for Animal Welfare Fund Program Projects* as directed by House Bill 113 of the 2025 Legislative Session.

Subsection E, Section 9-6-5, NMSA 1978, as amended, authorizes the Department to make and adopt such reasonable administrative and procedural rules and regulations as may be necessary to carry out the duties of the department and its divisions.

Notice Date: June 10, 2025

Hearing Date: July 11, 2025

Adoption Date: Proposed as July 12, 2025

Technical Citations: 2.91.3 NMAC

The Department is proposing to create the rule as follows:

Section 7

Subsection G - creates definition of "Underserved Communities".

Section 8

Subsection B - creates list of documents required in a complete application.

Section 9

Subsection A - created Animal Welfare Fund project requirements.

Section 10

Subsection B - creates application review criteria.

Section 11

Subsection A - creates reporting and compliance requirements.

These proposed rule changes will be contained in 2.91.3 NMAC. The register and the proposed rule are available on the Division website at: <https://www.nmdfa.state.nm.us/>. If you do not have internet access, a copy of the proposed register and rule may be requested by contacting DFA Office of General Counsel at dfalegal@dfa.nm.gov and (505) 827-4985.

The LGD proposes to implement this rule effective July 12, 2025.

A public hearing to receive testimony on this proposed rule will be held on July 11, 2025, at 2 p.m. The hearing will be held at the New Mexico Public Education Department, Marbry Hall Auditorium, 300 Don Gaspar Avenue, Santa Fe, New Mexico, 87501.

If you are a person with a disability and you require this information in an alternative format or require a special accommodation to participate in the public hearing, please contact our staff to discuss your accessibility needs at least one week prior, or as soon as possible, by emailing the DFA Office of General Counsel at: dfalegal@dfa.nm.gov or calling 505-827-3985.

Copies of all comments will be made available by the Division upon request by providing copies directly to a requestor or by making them available on the Division website or at a location within the county of the requestor.

Interested persons may address written comments to:

DFA Office of General Counsel
ATTN: LGD 2.91.3 NMAC Public Comments
407 Galisteo St.

Bataan Memorial Building, Room 180
Santa Fe, NM 87501

Recorded comments may be left at (505) 827-4985. Interested persons may also address comments via electronic mail to: dfalegal@dfa.nm.gov. Written mail, electronic mail and recorded comments must be received no later than 12:00 p.m. MT on June 10, 2025. Written and recorded comments will be given the same consideration as oral testimony made at the public hearing. All written comments received will be posted as they are received on the DFA website at <https://www.nmdfa.state.nm.us/> along with the applicable register and rule. The public posting will include the name and any contact information provided by the commenter.