

**STATE OF NEW MEXICO  
CONSTRUCTION INDUSTRIES DIVISION**

**MINUTES**

The Construction Industries Commission held a special meeting on June 27, 2003 in the Associated General Contractors Conference Room, 1615 University Blvd. NE, Albuquerque, New Mexico.

Officially attending the meeting were:

Thomas A. Montaña, Member  
(Representing Organized Labor)  
David Dallago, Member  
(Representing Residential Construction)  
Michael Brogdon, Member  
(Representing General Construction Industry)  
Steve Crespín, Member  
(Representing the Licensed Mechanical Contractors)  
Dale Dekker, Member  
(Representing the Licensed and Practicing Architects)  
Paul Wood  
(Representing the Public Sector)  
Shawn Brown, Assistant Attorney General  
Lisa D. Martinez, Director/CID  
Kate Baca, General Counsel/CID  
Fermin Aragon, General Construction Bureau Chief  
Jan Janecka, Mechanical Bureau Chief  
Rem Pacheco, Electrical Bureau Chief  
Marvin Vaughn, LP Gas Bureau Chief

**Not Present:**

Bobby McDade, Member, (Representing Licensed Electrical Contractors)  
John Renner, Member (Representing LP Gas Industry)  
Larry Shed, Member, (Representing the Sub-Contracting Industry)

Others Attending: **See Attachment A.**

## **ITEM NO. 1 - DETERMINATION OF QUORUM**

Commissioner Montano advised there was a quorum and called the special meeting to order at 1:00 p.m. All Commission members and the audience introduced themselves.

Chairman Montano announced there was only one agenda item for consideration. The item pertains to the approval of amendments to 14.5.5 NMAC, 19.15.40 NMAC, and 14.9.4 NMAC regarding fee increases.

**MOTION:** Commissioner Dekker moved to approve the Agenda. Commissioner Dallago seconded the Motion.

**VOTE:** All voted in favor of the Motion.

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## **ITEM NO. 1 – APPROVAL OF AMENDMENTS 14.5.5 NMAC, 19.15.40 NMAC, 14.9.4 NMAC**

Lisa Martinez, Director, thanked everyone for their attendance at an additional Special Commission meeting regarding the proposed fee increases for the Division. Director Martinez stated the Division needs Commission approval of the proposal in order to move forward with filing the amendments to the rules and regulations with State Archives. This is the process through which the fee increases can be implemented, in order for Regulation and Licensing Department and Construction Industries Division to receive the \$1.5 million Special Appropriation from the Legislature.

Director Martinez stated the attendance for the public hearings on June 18, 2003, in Albuquerque and June 19, 2003, was minimal. Director Martinez was the hearing officer for both public hearings. CID staff were available for questions pertaining to the specific bureau and sections within the Division. Director Martinez stated the comments received were very positive and supportive of the Division's work. The comments reflected the industry desire that increased revenue be used to improve services because of the recognized value to the industry.

Director Martinez presented the information herein described as **Attachment B**.

Director Martinez read into the record the comments received at the public hearings which were taken by the court reporter present at the hearing.

Director Martinez reiterated that the purpose of today's special meeting is for the sole purpose of requesting the Commission's final approval of the proposed fee increases as noticed to the public in two separate public hearings. Upon approval of the Commission, the Division will file the approved changes with Records and Archives. The filing will follow the standard 30 day time frame and the expected implementation date is August 1, 2003.

Director Martinez discussed the public comment received from Ron Hudson regarding the proposal to strike a portion of the rules and regulations pertaining to the calculation of building permit fees. She agrees with Mr. Hudson's comment that the three components used are needed in the regulation in order to correctly calculate building permit and plan review fees. She requested that the portion of the rules and regulations in question remain as is.

Director Martinez thanked the staff who worked on this project and traveled around the state for the public hearings. Director Martinez recognized individuals: Liddy Padilla, Kate Baca, Rem Pacheco, Marvin Vaughn, Jan Janecka, Fermin Aragon, Martica Santistevan, Carmen Gomez, Mark Olsen, Ron Hudson and Tony Perea. Thank you for a job well done.

Commissioner Crespín questioned the status of permits currently out to bid. He questioned whether there would be a grace period for implementation of these fee increases?

Director Martinez stated that the fee increase would become effective on August 1, 2003.

Commissioner Brogdon stated that if reasonable notice is given, he does not foresee any problems.

Commissioner Dallago stated that when Records and Archives notifies the Division that the fee increase is approved, this is considered to be the official, notification of the implementation of the changes.

**MOTION:** Commissioner Dallago moved to accept the fee increase as proposed with the additional wording that Ms. Martinez wants to add. Commissioner Montano stated: "The wording from Mr. Hudson in Las Cruces". Commissioner Wood seconded the Motion.

**VOTE:** All voted in favor of the Motion.

**MOTION:** With no further business, Commissioner Dekker moved to adjourn the meeting at 1:15 p.m. Commissioner Wood seconded the Motion.

**VOTE:** All voted in favor of the Motion.

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Thomas A. Montano, Chairman

Attest:

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Lisa Martinez, Secretary