

NOTICE OF PROPOSED RULEMAKING

The State of New Mexico, Youth Conservation Corps Commission (Commission) hereby gives notice that the Commission will conduct a public hearing on June 11, 2024, from 10AM to 11AM in Secretary’s Conference Room on the 3rd floor of the Wendell Chino Building 1220 South St. Francis Drive, Santa Fe, NM 87505. The purpose of the public hearing will be to obtain input on the repeal and replacement of its rule 11.2.171 NMAC, The Youth Conservation Corps (YCC) Program. The public may join and comment in person or online using this link: <https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting?rtc=1>; Meeting ID 297 872 607 804, passcode nYNJZy. Oral and written comments will be accepted at the public hearing; and the hearing will be recorded.

The purpose of this proposed rule repeal and replacement is to make changes that clarify the standards and requirements of the Youth Conservation Corps program as affected by Commission decisions and Attorney General opinions.

Individuals with disabilities who require this information in an alternative format or need any form of auxiliary aid to attend or participate in the public hearing are asked to contact Sarah Wood at (505) 470-3710 as soon as possible. The Agency requires at least ten (10) days' advance notice to provide requested special accommodations.

Public comment period: The Commission is currently accepting comments through 5:00pm, May 31, 2024. Interested individuals may submit written comments to Sarah Wood, via email at sarah.wood@emnrd.nm.gov ; fax (505) 476-3220; by postal mail to Youth Conservation Corps, 1220 South St. Francis Drive, Santa Fe, New Mexico 87505; or by telephone at 505 470-3710. Individuals may also submit written or oral comments at one or both of the public hearings.

All comments will be posted to the Commission's website at <http://www.emnrd.state.nm.us/YCC/yccactrules.html> within three business days.

Statutory Authority: The Youth Conservation Corps Act, Sections 9-5B-1 to 9-5B-11 NMSA 1978 (1992, as amended through 2019), specifically authorizes the Commission to "adopt rules that are necessary for the proper administration of the New Mexico Youth Conservation Corps Act."

The proposed rule may be accessed on the Commission’s website (<https://www.emnrd.nm.gov/about-ycc/ycc-annual-reports/>); obtained via email from Sarah Wood, sarah.wood@emnrd.nm.gov , (505) 470-3710; or picked up at the YCC office, 3rd floor, 1220 South St. Francis Drive, Santa Fe, NM 87505.

The proposed rule makes the following substantive changes:

11.2.171.7:

B: Deleted the definition of “Native American” definition.

C: Defines “permanent capital improvement” to mean a durable upgrade, adaptation , or enhancement of a property enduring for more than one year that increases the property value.

E: Defines “state agency” to mean any department, commission, council, board, committee, institution, legislative body, agency, government corporation, educational institution or official of the executive, legislative or judicial branch of the government of this state. "State agency" includes the purchasing division of the general services department and the state purchasing agent but does not include local public bodies.

11.2.171.8:

Adds “The Commission may reach out directly to state agencies, and state agencies may reach out directly to the Commission to create cooperative multi-year agreements for funding YCC projects. The Commission shall prioritize funding state agencies with missions that involve conservation work on public land and do not have funding for youth projects and the authority to hire seasonal employees designated as corps members.”

11.2.171.9.D:

Replaces the term “Native American” with the word “indigenous”.

11.2.171.14.G:

Reduces the in-kind or cash match from 20% of funds requested to 10% of funds requested.

11.2.171.14.E:

Replaces the term “Native American” with the word “indigenous”.

11.2.171.15.B.(3):

Permits projects on private land that primarily benefit the public and provide only an incidental benefit to private individuals.

11.2.171.16.D:

(2): Allows project sponsors to increase starting wages to adjust to local labor markets.

(3): Removes the 10% limit on corps member wage increases based on promotions, performance or additional responsibilities.

(4): Added compassionate pay to the kinds of leave YCC will support.

(5): Allows the Commission to compensate for occasional overtime related to travel or other unavoidable circumstances.

11.2.171.17.D.(1)(a):

Adds software, computers, and room & board at educational institutions as reimbursable expenses for the tuition voucher benefit.