

## Armijo, Alicia, HED

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**From:** Chris Mechels <cmechels@q.com>  
**Sent:** Thursday, July 27, 2023 3:26 PM  
**To:** Info, HigherEd, HED; Ortiz, Matt, SRCA; Hendricks, Rick, SRCA; Doucette, Robert, GSD  
**Subject:** [EXTERNAL] Comments on the 31 July Rules Hearing

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Dear Ms. Armijo,

This comment relates to your hearing notice and location.

The NM Rules Act requires the Hearing to be in person, and located in Santa Fe, unless the statutes provide otherwise.

The AG office allowed electronic hearings for the duration of the Covid crisis. That crisis ended on March 31st, when it was not renewed by the Governor, thus the electronic hearings now lack a legal basis.

Therefore this hearing must, by law, be held in person. It would also seem acceptable to hold a "hybrid" hearing, involving both an in person hearing, with web access. This is being done by some agencies.

Your hearing of 31 July seems, on its face, illegal, as it makes no provision for in person attendance in Santa Fe.

The Record Commission, esp the ALD Division's Matt Ortiz, arguably "should" catch such problems, but chooses not to look. You might ask them why??

The only obvious legal course, due to timing, is to cancel the 31 July hearing and re-schedule.

Please feel free to contact me if necessary.

Regards,

Chris Mechels  
505-982-7144