

2021 OCT -8 PM 12: 25

**Concise Explanatory Statement For
Rulemaking Adoption:****Findings required for rulemaking adoption:****Findings MUST include:**

- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;
- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

[1] Reasons for adopting rule, and summary of agency analysis:

The amendments clarify the procedures for requesting advisory opinions.

[2] Reasons for any change between the published proposed rule and the final rule:

Paragraph 5 of Subsection B is deleted and replaced with Paragraph 2 of Subsection A. The change was made to avoid potential confusion arising from old Paragraph 5 of Subsection B's use of the term "Formal advisory opinion," which is an undefined term; and to require the director to obtain the express permission of the requester before issuing an informal advisory opinion in response to a request that does not ask for an informal advisory opinion.

[3] Reasons for not accepting substantive arguments made through public comment:

No substantive arguments were submitted to the Commission in writing or at the public rule hearing relating to the proposed amendments to 1.8.1 NMAC.

Issuing authority (If delegated, authority letter must be on file with ALD):

Name:

New Mexico State Ethics Commission

Check if authority has been delegated



Title:

General Counsel

Signature: (BLACK ink only OR Digital Signature)

Walker Boyd

Date signed:

10/7/2021