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**New Mexico Regulation and Licensing Department**  
**BOARDS AND COMMISSIONS DIVISION**  
**New Mexico Public Accountancy Board**  
5500 San Antonio Drive, NE ▪ Suite A ▪ Albuquerque, New Mexico 87109  
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**MINUTES**  
Board Meeting  
December 6, 2016

**BOARD MEMBERS IN ATTENDANCE:** Mr. C. Jack Emmons, CPA, Chairman,  
Mr. Patrick Stewart, Vice Chair, Public Member  
Mr. Dennis Houston, Secretary, Public Member  
Mr. William R. Golden, CPA (telephonically)  
Ms. Maria Cassimus, Treasurer, CPA  
Mr. Farley Vener, CPA

**BOARD MEMBERS NOT IN ATTENDANCE:** Mr. Benjamin Roybal, Esq., Public Member

**BOARD STAFF IN ATTENDANCE:** Ms. Jeanette Contreras, Executive Director  
Mr. Ernest Santucci, Investigator  
Ms. Jessica Chavez-Lance, Licensing Manager  
Ms. Natalie Frazier, Licensing Administrator

**ATTORNEY GENERAL'S OFFICE  
STAFF IN ATTENDANCE:** Ms. Kara Szkotak, AAG, Board Counsel

**PUBLIC IN ATTENDANCE:** John A. Carey, NMSCPA  
Julia Jones, CPA

**PLACE & TIME:**

The New Mexico Public Accountancy Board held a Board Meeting on December 6, 2016, at 9:00 a.m. in the RLD Conference Room, 5500 San Antonio Dr. NE, Albuquerque, NM 87109.

**1. CALL TO ORDER; ROLL CALL; INTRODUCTION OF GUESTS**

Chairman Emmons called the meeting to order at 9:01 a.m. Roll call was taken by Ms. Contreras; Chairman C. Jack Emmons, Ms. Maria Cassimus, Mr. Dennis Houston, Mr. Farley Vener, and Mr. William R. Golden (telephonically), were present at this time. A quorum was determined to be present. At 9:08 a.m., Mr. Patrick Stewart joined the meeting.

Board members not present at this time were: Mr. Benjamin Roybal.

Audience introductions were made following roll call.

## **2. REVIEW AND APPROVAL OF AGENDA**

Ms. Cassimus moved to approve the agenda as presented with the following additions: 4(a) Clarification on rules of late renewal submission, 4(b) Update on the Gramm- Leach- Biley Act and tabled was the update to the Board on pending NCA cases in the Attorney General's office. The motion was seconded by Mr. Bill Golden.

The Board voted unanimously to pass the motion.

## **3. APPROVAL OF MINUTES FROM OCTOBER 18, 2016 BOARD MEETING**

Ms. Cassimus moved to approve the minutes for the October 18, 2016 Board Meeting and the motion was seconded by Mr. Golden.

The Board voted unanimously to pass the motion.

## **4. SELECTION OF COMPLAINT COMMITTEE MEMBERS FOR 2017**

Mr. Vener and Ms. Cassimus volunteered to remain as complaint committee members for 2017 and Mr. Emmons will remain as the alternate. Mr. Golden moved to approve the selection and the motion was seconded by Mr. Houston.

The Board voted unanimously to pass the motion.

- (a) Ms. Contreras sought clarification as to whether or not that a license should be renewed given the following circumstances:

If a licensee submits a renewal application and has not completed their CPE, do we renew the license and then send it to enforcement? Or is the application renewed and then sent to enforcement?

The board agreed that we will encourage the licensee to complete the CPE as soon as possible. Once the CPE is completed a late fee will be assessed, the license will be renewed and the licensee will forwarded to enforcement for further evaluation.

- (b) Mr. Golden updated the board on the Gramm-Leach-Biley Act and the implications that the act could render on the board and to CPA's throughout the state. Mr. Golden stressed the importance of the board's awareness to the possibility of federal regulation being imposed on the board and suggested that the board take preventative planning measures into consideration. Chairman Emmons agreed and Mr. Golden stated that he will create a package to present to the board.

## **5. ANNUAL EVENTS & UPDATES**

- Ms. Contreras spoke of the Swearing in Ceremony and requested clarification on who can administer an oath.
- Mr. Emmons updated the Board with information gained at the 109<sup>th</sup> Annual meeting in Austin, TX.
- Mr. Emmons informed the Board of his presentation regarding the new CPA exam. The presentation will take place on February 17, 2017 at the University of New Mexico.
- Mr. Emmons informed the Board of a recent successful independent audit of the Accountancy Board.

## **6. PERMISSION TO RE-FILE RULES PENDING REVISIONS**

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Ms. Contreras requested permission to correct sections that were overlooked at the August 16, 2016 Rules Hearing. Ms. Contreras explained that no rules will not be changed which is why an additional rules hearing is not required.

- 16.60.1.8 HEADQUARTERS OF THE BOARD
  - Address will be corrected
- 16.60.3.15 CONTINUING PROFESSIONAL EDUCATION (CPE) REQUIRED TO OBTAIN OR MAINTAIN AN "ACTIVE" CPA LICENSE
  - 11 (a) (b) (c) and (d) will be removed.

Mr. Stewart moved to approve the re-filing of rules and Mr. Vener seconded the motion.

The Board voted unanimously to pass the motion.

## **7. EXECUTIVE SESSION**

Chairman Emmons moved to enter into executive session. The executive session will be held in accordance with NMSA 1978, Sections 10-15-1 (H) (1), for the limited purpose of:

- Consideration of Complaint Committee recommendations in the following cases:
  - Case No. 2016-13
  - Case No. 2016-14
  - Case No. 2016-15
- Proposed Case Closures:
  - Case No. 2016-12

The motion was seconded by Mr. Stewart to enter into executive session. A roll call vote was taken. Roll call vote: Chairman Jack Emmons-yes, Mr. Patrick Stewart-yes, Mr. Dennis Houston-yes, Mr. William Golden-yes (telephonically), Mrs. Cassimus-yes, and Mr. Vener-yes, to pass the motion.

The members entered into executive session at 9:50 a.m.

## **8. BOARD DECISIONS**

The Board returned from executive session at 10:14 a.m. Chairman Emmons attested that the only items discussed in the executive session were the matters specified on the agenda. A roll call vote was taken: Chairman Jack Emmons, Mr. Patrick Stewart, Mr. Dennis Houston, Mrs. Cassimus, Mr. Vener and Mr. William Golden (telephonically) were present.

- Complaint Committee recommendations: Motions were made by Mr. Stewart and seconded by Mr. Golden to accept the recommendations of the following cases:
  - Case No. 2016-13      Dismiss
  - Case No. 2016-14      Advisory letter signed by the Executive Director
  - Case No. 2016-15      Dismiss
- Proposed Case Closures:
  - Case No. 2016-12      Close Case

The Board voted unanimously to pass the case closure motions and with complaint committee members Mrs. Cassimus and Mr. Farley abstaining on case 2016-13.

## **10. ADJOURNMENT**

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Ms. Cassimus moved to adjourn the meeting at 10:20 a.m. and the motion was seconded by Mr. Stewart.

The Board voted unanimously to pass the motion to adjourn.

  
Jack Emmons, CPA, Chairman

  
Dennis Houston, Secretary