

AN ACT

RELATING TO THE INSURANCE DIVISION OF THE PUBLIC REGULATION COMMISSION; PROVIDING THAT CERTAIN EMPLOYEES OF THE DIVISION MAY BE DESIGNATED AS EXEMPT FROM THE PROVISIONS OF THE PERSONNEL ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 8-8-5 NMSA 1978 (being Laws 1998, Chapter 108, Section 5) is amended to read:

"8-8-5. CHIEF OF STAFF--DIVISION DIRECTORS--OTHER STAFF.--

A. The commission shall appoint a "chief of staff" who is responsible for the day-to-day operations of the commission staff under the general direction of the commission. The chief of staff shall serve at the pleasure of the commission.

B. With the consent of the commission, the chief of staff shall appoint division directors. Appointments shall be made without reference to party affiliation and solely on the ground of fitness to perform the duties of their offices.

C. Each director, with the consent of the chief of staff, shall employ such professional, technical and support staff as necessary to carry out the duties of his division. Employees shall be hired solely on the ground of their fitness to perform the job for which they are hired. Except as provided in Subsection D of this section, division staff are subject to the provisions of the Personnel Act.

D. With the consent of the chief of staff, the superintendent of insurance may designate the following insurance division positions as exempt from the provisions of the Personnel Act: deputy superintendents, chief actuaries and bureau chiefs." _____
