

FORTY- FIFTH LEGISLATURE  
FIRST SESSION, 2001

February 19, 2001

Mr. Speaker:

Your APPROPRIATIONS AND FINANCE COMMITTEE, to whom has been referred

HOUSE BILL 73, as amended

has had it under consideration and reports same with recommendation that it DO PASS, amended as follows:

1. On page 1, line 13, after the semicolon insert "CREATING THE FIRE BOARD;".

2. On page 1, line 16, strike "STATE FIRE MARSHAL" and insert in lieu thereof "FIRE BOARD".

3. On page 6, line 13, remove the brackets and line through "board" and strike the underscored "marshal".

4. On page 7, lines 15 through 22, strike Subsection B in its entirety.

5. Reletter the succeeding subsection accordingly.

6. On page 8, between lines 6 and 7, insert the following new section:

"Section 9. A new section of Chapter 59A, Article 52 NMSA 1978 is enacted to read:

" [NEW MATERIAL] FIRE BOARD--CREATED. --

A. The "fire board" is created. The board shall be appointed by the governor as follows:

(1) one member from the municipal fire chiefs association;

(2) one member from the New Mexico firefighters association;

(3) one member from the New Mexico fire marshals association;

FORTY-FIFTH LEGISLATURE  
FIRST SESSION, 2001

HB73/a

Page 2

(4) one member from the society of fire protection engineers;

(5) two members who represent the construction industries; and

(6) one member of the public.

B. The members shall serve at the pleasure of the governor. Members may receive per diem and mileage as provided in the Per Diem and Mileage Act, but shall receive no other compensation, perquisite or allowance.

C. The fire board shall annually elect a chairman and vice chairman. The state fire marshal shall serve as executive secretary of the board. The state fire marshal division shall provide staff support to the board.

D. The fire board shall meet at least quarterly or at the request of the chairman, the secretary of energy, minerals and natural resources, the state fire marshal or three members of the board.

E. The fire board shall:

(1) approve fire prevention codes and standards to be enforced by the state fire marshal division; provided, however, that the board shall coordinate with the construction industries division of the regulation and licensing department to ensure that state building and fire prevention codes are compatible and consistent with each other; and

(2) take appeals pertaining to Section 59A-52-15 NMSA 1978 and perform other duties as provided by law. "".

7. Renumber the succeeding sections accordingly.

8. On page 8, line 17, after the period insert "The rules promulgated pursuant to that article are the minimum code for a municipality or county. "".

9. On page 10, line 7, after the dash insert "The secretary of energy, minerals and natural resources shall hear all appeals except those appeals pertaining to Section 59A-52-

FORTY-FIFTH LEGISLATURE  
FIRST SESSION, 2001

HB73/a

Page 3

15 NMSA 1978, which shall be heard by the fire board."

10. On page 10, line 10, after "resources" insert "or fire board".

11. On page 10, line 12, after "secretary" insert "or fire board".

12. On page 10, line 15, after "secretary" insert "or fire board".

13. On page 10, line 16, strike the underscored "his" and insert in lieu thereof "the".

14. On page 10, line 17, after "secretary" insert "or fire board".

15. On page 11, line 1, after "resources" insert "or fire board".

16. On page 11, line 14, after "resources" insert "or fire board".

17. On page 11, line 15, strike the underscored "his" and insert in lieu thereof "the".

Respectfully submitted,

\_\_\_\_\_  
Max Coll, Chairman

Adopted \_\_\_\_\_  
(Chief Clerk)

Not Adopted \_\_\_\_\_  
(Chief Clerk)

Date \_\_\_\_\_

FORTY-FIFTH LEGISLATURE  
FIRST SESSION, 2001

HB73/a

Page 4

The roll call vote was 14 For 0 Against

Yes: 14

Excused: King, Marquardt, Mohorovic, Watchman

Absent: None

.135954.2

\\Lotus\wwwroot\Sessions\Stage1\HB0073af1.HTML