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SENATE BILL 136

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

INTRODUCED BY

Dede Feldman

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE AND  
THE LEGISLATIVE HEALTH SUBCOMMITTEE

AN ACT

RELATING TO EMERGENCIES; PROVIDING FOR THE TEMPORARY LICENSURE  
OF CERTAIN PERSONS DURING AN EMERGENCY; DECLARING AN  
EMERGENCY.

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

Section 1. Section 61-1-2 NMSA 1978 (being Laws 1957,  
Chapter 247, Section 2, as amended by Laws 1993, Chapter 49,  
Section 31 and by Laws 1993, Chapter 171, Section 25 and also  
by Laws 1993, Chapter 295, Section 1) is amended to read:

"61-1-2. DEFINITIONS. -- As used in the Uniform Licensing  
Act:

A. "board" means:

(1) the construction industries commission,  
the construction industries division and the electrical  
bureau, mechanical bureau and general construction bureau of

underscored material = new  
[bracketed material] = delete

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1 the construction industries division of the regulation and  
2 licensing department;

3 (2) the ~~manufactured housing committee~~ and  
4 ~~manufactured housing division of the regulation and licensing~~  
5 ~~department;~~

6 (3) a board, ~~commission~~ or agency that  
7 administers a profession or occupation licensed pursuant to  
8 Chapter 61 NMSA 1978; and

9 (4) any other state agency to which the  
10 Uniform Licensing Act is applied by law;

11 B. "applicant" means a person who has applied for  
12 a license;

13 C. "license" means a certificate, permit or other  
14 authorization to engage in each of the professions and  
15 occupations regulated by the boards enumerated in Subsection A  
16 of this section;

17 D. "revoke a license" means to prohibit the  
18 conduct authorized by the license; [~~and~~]

19 E. "suspend a license" means to prohibit, for a  
20 stated period of time, the conduct authorized by the license.  
21 "Suspend a license" also means to allow, for a stated period  
22 of time, the conduct authorized by the license, subject to  
23 conditions that are reasonably related to the grounds for  
24 suspension; and

25 F. "emergency" includes any man-made or natural

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1 disaster causing or threatening widespread physical or  
2 economic harm that is beyond local control and requires the  
3 resources of the state. "

4 Section 2. A new section of the Uniform Licensing Act is  
5 enacted to read:

6 " [NEW MATERIAL] OUT-OF-STATE LICENSE HOLDERS-- POWERS--  
7 DUTIES. --During an emergency, a person who holds a license,  
8 certificate or other permit that is issued by a state or  
9 territory of the United States and that evidences the meeting  
10 of qualifications for professional, mechanical or other skills  
11 may be credentialed, if appropriate and approved by the  
12 department of health or the department of public safety, to  
13 render aid involving those skills to meet an emergency,  
14 subject to such limitations and conditions as the governor may  
15 prescribe by executive order or otherwise. Such a person  
16 shall be considered a public employee for the purposes of the  
17 Tort Claims Act when approved to perform such duties. "

18 Section 3. A new section of the Uniform Licensing Act is  
19 enacted to read:

20 " [NEW MATERIAL] APPLICATION. --The provisions of Section 2  
21 of this act apply to a person from any state or territory  
22 whether or not a party to the Emergency Management Assistance  
23 Compact. "

24 Section 4. A new section of the Uniform Licensing Act is  
25 enacted to read:

