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SENATE BILL 106

42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1996

INTRODUCED BY

ELIZABETH T. STEFANICS

AN ACT

RELATING TO INSURANCE; INCREASING DISTRIBUTIONS TO MUNICIPAL AND COUNTY FIRE DEPARTMENTS FROM THE FIRE PROTECTION FUND; AMENDING THE FIRE PROTECTION FUND LAW; MAKING AN APPROPRIATION; DECLARING AN EMERGENCY.

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

Section 1. Section 59A-53-4 NMSA 1978 (being Laws 1984, Chapter 127, Section 975, as amended) is amended to read:

"59A-53-4. CRITERIA FOR DETERMINATION OF NEEDS. -- In making the ~~[foregoing]~~ determination of needs pursuant to Section 59A-53-3 NMSA 1978, the marshal shall first determine that each incorporated municipality to be certified has maintained an official fire department created by, and regulated in accordance with, a duly enacted ordinance for a period of at least one year prior to the date of certification and possesses fire equipment

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1 and apparatus in serviceable condition to respond to a fire
2 incident. The marshal shall also determine the number of fire
3 stations and substations located in each municipality to be
4 certified and shall certify to the state treasurer for each
5 municipality for maintaining a single fire station and
6 substations, if any, which meet the requirements of the marshal
7 and the requirements of this section, and in accordance with the
8 class insurance rating it maintains, amounts not to exceed the
9 following:

class	[mainstation] <u>main station</u>	substation
number 1	[\$51,843] <u>\$72,580</u>	[\$19,211] <u>\$26,895</u>
number 2	[48,026] <u>67,236</u>	[17,930] <u>25,102</u>
number 3	[44,184] <u>61,858</u>	[16,649] <u>23,309</u>
number 4	[40,341] <u>56,477</u>	[15,368] <u>21,515</u>
number 5	[38,419] <u>53,787</u>	[14,088] <u>19,723</u>
number 6	[36,499] <u>51,099</u>	[12,807] <u>17,930</u>
number 7	[34,578] <u>48,409</u>	[12,168] <u>17,035</u>
number 8	[32,658] <u>45,721</u>	[11,527] <u>16,138</u>
number 9	[24,333] <u>34,066</u>	[9,610] <u>13,454</u>
number 10	[21,771] <u>30,479</u>	none. "

21 Section 2. Section 59A-53-5 NMSA 1978 (being Laws 1989,
22 Chapter 312, Section 5) is amended to read:

23 "59A-53-5. ESTABLISHMENT OF COUNTY FIRE DISTRICTS. --

24 A. The county commissioners of any county may
25 establish one or more county fire districts within the county

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1 but outside the corporate limits of any municipality. The
2 marshal shall determine the number of fire stations and
3 substations located in each county to be certified and shall
4 certify to the state treasurer for each county for maintaining a
5 single fire station and substations, if any, which meet the
6 requirements of the marshal and the requirements of this
7 section, and in accordance with the class insurance rating it
8 maintains, amounts not to exceed the following:

9 class	[mainstation] <u>main station</u>	substation
10 number 1	[\$51,843] <u>\$72,580</u>	[\$19,211] <u>\$26,895</u>
11 number 2	[48,026] <u>67,236</u>	[17,930] <u>25,102</u>
12 number 3	[44,184] <u>61,858</u>	[16,649] <u>23,309</u>
13 number 4	[40,341] <u>56,477</u>	[15,368] <u>21,515</u>
14 number 5	[38,419] <u>53,787</u>	[14,088] <u>19,723</u>
15 number 6	[36,499] <u>51,099</u>	[12,807] <u>17,930</u>
16 number 7	[34,578] <u>48,409</u>	[12,168] <u>17,035</u>
17 number 8	[32,658] <u>45,721</u>	[11,527] <u>16,138</u>
18 number 9	[24,333] <u>34,066</u>	[9,610] <u>13,454</u>
19 number 10	[21,771] <u>30,479</u>	none,

20 upon establishing, to the satisfaction of the marshal, the
21 following:

22 (1) the county fire district has maintained an
23 official fire department for a period of at least one year,
24 established and governed by appropriate resolution of the board
25 of county commissioners of the county in which the county fire

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1 district is located, and possesses fire apparatus and equipment
2 in serviceable condition to respond to a fire incident;

3 (2) the geographic limits and boundaries of the
4 county fire district have been clearly defined and established
5 by the board of county commissioners of the county in which the
6 county fire district is located, and a plat showing the
7 geographic limits and boundaries has been accepted by the board
8 of county commissioners and filed as part of the official record
9 of proceedings of the board and a certified copy thereof filed
10 with the marshal; and

11 (3) there is available within the geographic
12 limits and boundaries of the county fire district an adequate
13 water supply to be used in connection with the fire-fighting
14 facilities of the county fire district.

15 B. The county commissioners of any county may permit
16 a county fire district located in the county to service an area
17 adjacent and contiguous to the district but within another
18 county; provided that the county commissioners of the other
19 county shall consent by resolution duly adopted to the service
20 and to the boundaries of the other area serviced. Before
21 commencement of service, a plat showing the geographic limits
22 and boundaries of the county district and of the additional area
23 to be serviced shall be filed with and approved by the marshal.
24 The county commissioners of either the county in which the
25 county district is located or of the county in which the area

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1 being serviced is located may terminate the service but only
2 with the approval of the marshal."

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1 FORTY- SECOND LEGI SLATURE
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5 JANUARY 22, 1996
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7 Mr. Presi dent:
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9 Your COMMI TTEES' COMMI TTEE, to whom has been referred
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11 SENATE BILL 106
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13 has had it under consideration and finds same to be GERMANE, PURSUANT
14 TO CONSTITUTIONAL PROVISIONS, and thence referred to the WAYS AND
15 MEANS COMMI TTEE.
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17 Respectfully submi tted,
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23 SENATOR MANNY M. ARAGON, Chai rman
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Adopted _____

Not Adopted _____

(Chief Clerk)

(Chief Clerk)

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