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HOUSE BILL 622

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Jeannette O. Wallace

AN ACT

RELATING TO PUBLIC REGULATIONS; CREATING THE FIRE MARSHAL
DIVISION IN THE PUBLIC REGULATION COMMISSION.

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

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

"8-8-1. SHORT TITLE.--~~[Sections 1 through 20 of this act]~~
Chapter 8, Article 8 NMSA 1978 may be cited as the "Public
Regulation Commission Act"."

Section 2. Section 8-8-6 NMSA 1978 (being Laws 1998,
Chapter 108, Section 6) is amended to read:

"8-8-6. COMMISSION--DIVISIONS.--The commission shall
include the following organizational units:

- A. the administrative services division;
- B. the consumer relations division;

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[bracketed material] = delete

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- 1 C. the insurance division;
- 2 D. the legal division;
- 3 E. the transportation division; ~~and~~
- 4 F. the utility division; and
- 5 G. the fire marshal division."

6 Section 3. Section 8-8-9 NMSA 1978 (being Laws 1998,
7 Chapter 108, Section 9) is amended to read:

8 "8-8-9. INSURANCE DIVISION.--

9 A. The director of the insurance division is the
10 "superintendent of insurance" and shall have all the powers and
11 duties prescribed to ~~him~~ the director in the New Mexico
12 Insurance Code.

13 B. The insurance division shall consist of such
14 bureaus as the superintendent of insurance determines for the
15 orderly conduct of business ~~[including the fire marshal bureau.~~
16 ~~The superintendent of insurance may organize the firefighter's~~
17 ~~training academy as part of the fire marshal bureau or may~~
18 ~~organize it as a separate bureau]."~~

19 Section 4. A new section of the Public Regulation
20 Commission Act is enacted to read:

21 "[NEW MATERIAL] FIRE MARSHAL DIVISION.--The fire marshal
22 division includes the following:

- 23 A. the firefighter training academy bureau;
- 24 B. the fire service support bureau;
- 25 C. the fire investigations bureau; and

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underscored material = new
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1 D. the fire code enforcement bureau."

2 Section 5. Section 59A-52-1 NMSA 1978 (being Laws 1984,
3 Chapter 127, Section 947, as amended) is amended to read:

4 "59A-52-1. STATE FIRE MARSHAL CREATED.--The position of
5 "state fire marshal" is created as the ~~[bureau chief]~~ director
6 of the fire marshal ~~[bureau of the insurance]~~ division under
7 the public regulation commission."

8 Section 6. Section 59A-52-3 NMSA 1978 (being Laws 1984,
9 Chapter 127, Section 949, as amended) is amended to read:

10 "59A-52-3. DEPUTY STATE FIRE MARSHAL AND OTHER
11 EMPLOYEES--QUALIFICATIONS OF DEPUTY.--The state fire marshal
12 may ~~[with the approval of the superintendent, appoint or remove~~
13 ~~a] employ, with the consent of the chief of staff of the public~~
14 regulation commission, deputy state fire [marshal] marshals and
15 other employees to assist in the execution of the marshal's
16 duties ~~[provided, however, that the state fire marshal and any~~
17 ~~deputy state fire marshal appointed by the state fire marshal~~
18 ~~shall be experienced in fire prevention and fire fighting and~~
19 ~~have completed a course of training by actual attendance at a~~
20 ~~fire-training school]."~~