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HOUSE BILL 706

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

Bill B. O'Neill

AN ACT

RELATING TO THE FIRE PROTECTION GRANT COUNCIL; ELIMINATING  
CERTAIN APPOINTEE EXCLUSIONS.

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

Section 1. Section 59A-53-19 NMSA 1978 (being Laws 2006,  
Chapter 103, Section 8) is amended to read:

"59A-53-19. FIRE PROTECTION GRANT COUNCIL--DUTIES.--

A. The "fire protection grant council" is created.  
Subject to the requirements of Subsection B of this section,  
the council shall consist of:

(1) a representative of the New Mexico  
municipal league;

(2) a representative of the New Mexico  
association of counties;

(3) two members appointed by the public

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1 regulation commission who shall serve at the pleasure of the  
2 commission;

3 (4) three members, one from each congressional  
4 district, appointed by the governor who shall serve at the  
5 pleasure of the governor; and

6 [~~(7)~~] (5) the marshal, who shall serve as a  
7 nonvoting advisory member. The council shall elect a chair and  
8 vice chair from its membership.

9 B. No appointee to the council shall be a member of  
10 the public regulation commission, the superintendent of  
11 insurance or any other employee of the commission [~~or an active~~  
12 ~~member of a municipal fire department or a county fire~~  
13 ~~district~~].

14 C. The public members shall receive per diem and  
15 mileage as provided in the Per Diem and Mileage Act and shall  
16 receive no other compensation, perquisite or allowance.

17 D. The council shall develop criteria for assessing  
18 the critical needs of municipal and county fire districts for  
19 fire apparatus and equipment, communications equipment,  
20 equipment for wildfires, fire station construction or expansion  
21 or equipment for hazardous material response.

22 E. Applications for grant assistance from the fire  
23 protection grant fund shall be made by fire districts to the  
24 council in accordance with the requirements of the council.  
25 Using criteria developed by the council, the council shall

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1 evaluate applications and prioritize those applications most in  
2 need of grant assistance from the fund. To the extent that  
3 money in the fund is available, the council shall award grant  
4 assistance for those prioritized applications.

5 F. In awarding grant assistance, the council may  
6 require conditions and procedures necessary to ensure that the  
7 money is expended in the most prudent manner."

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