

CHAPTER 172
HB 156 – FINAL VERSION

20Feb2013... 0058h

2013 SESSION

13-0490
05/09

HOUSE BILL ***156***

AN ACT relative to the appointment and duties of the state fire marshal.

SPONSORS: Rep. Burrige, Ches 16

COMMITTEE: Executive Departments and Administration

ANALYSIS

 This bill clarifies the appointment process for the state fire marshal, adds gender neutral references, and clarifies the fire marshal's authority to issue citations.

 This bill is a request of the department of safety.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT relative to the appointment and duties of the state fire marshal.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 172:1 State Fire Marshal. Amend RSA 153:7 to read as follows:

2 153:7 State Fire Marshal. There shall be a state fire marshal who shall be ~~[a citizen of this state~~
3 ~~and shall be technically qualified by training and experience in the prevention, extinguishing and~~
4 ~~investigation of fires at the time of his appointment. He shall be appointed by the governor and~~
5 ~~council from a list of at least 3 nominees submitted by the state advisory board of fire control for an~~
6 ~~indefinite term, which shall not extend beyond his sixty fifth birthday]~~ **qualified and appointed**
7 **by the governor and council in the manner prescribed in RSA 21-P:12.** He *or she* shall be
8 subject to removal at any time by the governor and council for inefficiency, neglect of duty, or
9 malfeasance in office, after hearing, with reasonable notice in writing of the charges against him *or*
10 **her**. The office of the state fire marshal shall be located in Concord in suitable quarters provided by
11 the state. ~~[He]~~ **The state fire marshal** shall receive the annual salary prescribed by RSA ~~[94:1-4]~~
12 **94:1-a**. Such officer shall devote his *or her* entire time to the duties of the office and ~~[he]~~ shall
13 discharge such duties and responsibilities as are delegated to ~~[him]~~ **the fire marshal** by law.

14 172:2 Duties of the State Fire Marshal. Amend RSA 153:4-a, IV to read as follows:

15 IV. To promote the efficient discharge of his *or her* lawful duties, the state fire marshal or
16 his *or her* designee may issue citations for violations of fire safety rules under RSA ~~[106-A:4-b]~~ **153**.

17 172:3 Effective Date. This act shall take effect upon its passage.

18 Approved: July 2, 2013

19 Effective Date: July 2, 2013