

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 231

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Anna M Crook

FOR THE NEW MEXICO FINANCE AUTHORITY OVERSIGHT COMMITTEE

AN ACT

**RELATING TO FIRE PROTECTION; PROVIDING FOR AN ANNUAL
DISTRIBUTION FROM THE FIRE PROTECTION FUND TO PROVIDE FOR
VEHICLE AND FIRE APPARATUS PURCHASES; MAKING AN APPROPRIATION.**

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

**Section 1. A new section of the Fire Protection Fund
Law, Section 59A-53-6.2 NMSA 1978, is enacted to read:**

**"59A-53-6.2. [NEW MATERIAL] EQUIPMENT AND FACILITY
FUND-- CREATION-- DISTRIBUTION-- REVERSION. --**

**A. The "equipment and facility fund" is created in
the state treasury. The fund shall consist of transfers made
to the fund pursuant to Subsection B of this section. Money
in the fund is appropriated for use by the state fire marshal
pursuant to the provisions of this section.**

B. On or before July 1 of each year, a transfer

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 shall be made from the fire protection fund to the equipment
2 and facility fund in an amount equal to ten percent of the
3 balance in the fire protection fund as of the preceding May 1.

4 C. The equipment and facility fund shall be
5 administered by the state fire marshal for distribution to
6 counties and incorporated municipalities for the purpose of
7 acquiring portable equipment, fire apparatus and special
8 apparatus relating to fire department operations and facility
9 construction. The following procedures govern distributions
10 from the fund:

11 (1) the marshal shall appoint a "vehicle and
12 apparatus acquisition advisory committee" to assist the
13 marshal in developing a grant application process and
14 approving grants for distributions from the fund;

15 (2) municipalities or counties interested in
16 receiving a distribution from the fund shall make application
17 to the marshal;

18 (3) no distribution shall be made unless the
19 municipality or county agrees to match the distribution with
20 at least twenty-five percent of the value of the equipment or
21 facility. Each application shall include a detailed statement
22 and plan for providing the match and the nature of the
23 financial or in-kind match to be provided. The municipality
24 or county may satisfy the match through a grant from the New
25 Mexico finance authority; and

. 133992. 1

underscored material = new
[bracketed material] = delete

1 (4) the total distribution given to a county
2 or municipality in one year shall not exceed two hundred
3 thousand dollars (\$200,000).

4 D. Any unexpended or unencumbered balance
5 remaining in the equipment and facility fund at the end of a
6 fiscal year shall revert to the fire protection fund."

7 Section 2. Section 59A-53-15 NMSA 1978 (being Laws 1984,
8 Chapter 127, Section 986, as amended) is amended to read:

9 "59A-53-15. APPROPRIATION FROM STATE TREASURY. -- All
10 money [~~which~~] that from time to time is deposited in the state
11 treasury and credited to the fire protection fund is
12 appropriated to the [~~corporation~~] commission for the use of
13 the state fire marshal for the purposes set out in Chapter
14 59A, Article 53 NMSA 1978 and shall be distributed by the
15 state treasurer and expended as provided in that article.
16 Hereafter, all sums in excess of one hundred thousand dollars
17 (\$100,000) for pro rata distribution plus seventy-five percent
18 of the approved state fire marshal budget for the succeeding
19 fiscal year plus the amount certified to be distributed as
20 provided in that article plus the amount to be transferred to
21 the equipment and facility fund pursuant to Section 59A-53-6.2
22 NMSA 1978 shall be credited to the general fund on or before
23 June 30 of each fiscal year."