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AN ACT
RELATING TO PUBLIC SAFETY; PROVIDING RECRUITMENT
DISBURSEMENTS TO NEWLY HIRED FIREFIGHTERS; CREATING A
FIREFIGHTER RECRUITMENT FUND; REQUIRING DISTRIBUTION AND
OVERSIGHT OF THE FIREFIGHTER RECRUITMENT FUND BY THE HOMELAND
SECURITY AND EMERGENCY MANAGEMENT DEPARTMENT.

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

SECTION 1. FIREFIGHTER RECRUITMENT FUND--
CREATED--RECRUITMENT STIPEND DISBURSEMENT--REPORTING.--

A. The "firefighter recruitment fund" is created
in the state treasury. The fund consists of money
appropriated by the legislature, federal money granted to the
state for the purposes of the fund, income from investment of
the fund and money otherwise accruing to the fund. Money in
the fund is subject to appropriation by the legislature and
shall not revert to any other fund at the end of a fiscal
year. The homeland security and emergency management
department shall administer the fund to provide:

- (1) a one-time five-thousand-dollar (\$5,000)
recruitment disbursement for entry-level firefighters
starting employment with a fire department for the first
time; provided that the recipient remains employed as a
firefighter with that fire department for three years; and

- (2) support for disbursement administration

1 processes and reporting compliance.

2 B. The homeland security and emergency management
3 department shall adopt and promulgate rules as necessary to
4 implement the provisions of this section, including:

5 (1) a schedule for recruitment disbursement;
6 and

7 (2) clawback or recapture rules that ensure
8 the repayment of recruitment disbursement funds that are
9 proportional to that portion of the three-year commitment
10 that has not been completed.

11 C. Money in the fund shall be disbursed on
12 warrants signed by the secretary of finance and
13 administration pursuant to vouchers signed by the secretary
14 of homeland security and emergency management or the
15 secretary's authorized representative.

16 D. The homeland security and emergency management
17 department shall determine and distribute annually to a fire
18 department the amount necessary to provide a recruitment
19 disbursement to firefighters newly employed by that fire
20 department. A fire department shall expend funding received
21 for no other purpose than that permitted by this section, and
22 any unexpended balance received by a fire department pursuant
23 to this section at the end of a fiscal year shall revert to
24 the firefighter recruitment fund. The homeland security and
25 emergency management department shall monitor the use of

1 funding and ensure the proper reversions to the firefighter
2 recruitment fund.

3 E. To receive funding pursuant to Subsection D of
4 this section, a fire department shall make a request to the
5 homeland security and emergency management department prior
6 to June 1 of each fiscal year.

7 F. The homeland security and emergency management
8 department shall submit an annual report providing
9 information collected pursuant to the rules adopted in
10 Subsection B of this section to the governor and the
11 legislative finance committee no later than December of each
12 year.

13 G. As used in this section:

14 (1) "fire department" means an organization
15 of a county or municipality that employs firefighters and is
16 entitled to distributions from the fire protection fund and
17 is capable of providing fire suppression and related
18 activities;

19 (2) "firefighter" means a person who is a
20 full-time salaried public employee of a fire department, who
21 provides fire suppression services involved in controlling
22 and extinguishing fires and who is exposed to the dangers of
23 heat, flame, smoke and other products of combustion,
24 explosion or structural collapse; and

25 (3) "recruitment disbursement" means the

1 amount disbursed from the firefighter recruitment fund based
2 on the new employment of a firefighter at a fire department
3 but is not considered salary for the purpose of calculating
4 retirement benefits.

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