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HOUSE BILL 144

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Brian K. Moore

AN ACT

RELATING TO VOLUNTEER FIREFIGHTERS RETIREMENT; PROVIDING A  
PROCEDURE TO ADJUST SERVICE CREDIT FOR SERVICE PRIOR TO JANUARY  
1, 2004; CLARIFYING APPLICABILITY.

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

Section 1. Section 10-11A-6 NMSA 1978 (being Laws 1983,  
Chapter 263, Section 6, as amended) is amended to read:

"10-11A-6. DETERMINATION OF SERVICE CREDIT. --

A. A member may claim one year of service credit  
for each year in which a fire department certifies that the  
member:

(1) attended seventy-five percent of all  
scheduled fire drills;

(2) attended seventy-five percent of all  
scheduled business meetings; and

underscored material = new  
[bracketed material] = delete

1 (3) participated in at least fifty percent of  
2 all emergency response calls for which the fire department held  
3 ~~[him]~~ the member responsible to attend.

4 B. The chief of each fire department shall submit  
5 to the association by March 31 of each year the records of  
6 attendance of members for emergency response calls, fire drills  
7 and business meetings during the preceding calendar year;  
8 provided, ~~[he]~~ that the chief shall:

9 (1) submit such records on forms provided by  
10 the association;

11 (2) acknowledge the truth of the records under  
12 oath before a notary public; and

13 (3) have the notarized forms signed by the  
14 mayor, if distributions from the fire protection fund for the  
15 fire department are made to an incorporated municipality, or  
16 the chairman of the county commission, if distributions from  
17 the fire protection fund for the fire department are made to an  
18 independent fire district.

19 C. For service credit that has been earned, but not  
20 credited pursuant to Subsection B of this section, a member may  
21 post or adjust service credit earned for one or more calendar  
22 years prior to January 1, 2005, but for not more than five  
23 years of additional service credit, by filing with the  
24 association no later than December 31, 2005:

25 (1) a copy of the state fire marshal's records

1 or the records of the member's fire department indicating the  
2 member's record of attendance for emergency calls, fire drills  
3 and business meetings during the calendar years for which  
4 service credit is claimed; and

5 (2) a completed "Corrected Qualification Record"  
6 or "Adjusted Qualification Record" as prescribed by the board.

7 D. Failure to timely provide the records required  
8 pursuant to Subsection C of this section shall result in the  
9 loss of the member's service credit not credited pursuant to  
10 Subsection B of this section."

11 Section 2. APPLICABILITY. --Notwithstanding the provisions  
12 of Laws 1983, Chapter 263, Section 10, Laws 2003, Chapter 370,  
13 Section 2 shall apply to members retiring on or after June 20,  
14 2003.