

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

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

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

(1) submit such records on forms provided by HB 142  
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the association;

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

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

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

(1) a copy of the state fire marshal's records or the records of the member's fire department indicating the member's record of attendance for emergency calls, fire drills and business meetings during the calendar years for which service credit is claimed; and

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

D. Failure to timely provide the records required pursuant to Subsection C of this section shall result in the

loss of the member's service credit not credited pursuant to Subsection B of this section."

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

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