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HOUSE BILL 145

47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

INTRODUCED BY

Debbie A. Rodella

AN ACT

RELATING TO VOLUNTEER FIREFIGHTERS RETIREMENT; PROVIDING A
PROCEDURE TO ADJUST SERVICE CREDIT FOR SERVICE PRIOR TO JANUARY
1, 2006.

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

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1 (3) participated in at least fifty percent of
2 all emergency response calls for which the fire department held
3 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 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]~~ chair of the county commission, if distributions
17 from the fire protection fund for the fire department are made
18 to an 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, or
21 a former member who was a member at any time on or after June
22 20, 2003, may post or adjust service credit earned for one or
23 more calendar years prior to January 1, ~~[2005, but for not more~~
24 ~~than five years of additional service credit]~~ 2006, by filing
25 with the association no later than December 31, ~~[2005]~~ 2006:

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(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."