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SENATE BILL 100

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

INTRODUCED BY

Cynthia Nava

AN ACT

RELATING TO VOLUNTEER FIREFIGHTERS; ALLOWING FIRE PROTECTION GRANTS TO BE USED FOR STIPENDS FOR VOLUNTEER FIREFIGHTERS IN UNDERSERVED AREAS; PROVIDING FOR EVALUATION CRITERIA AND LIMITATIONS.

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

Section 1. Section 59A-53-19 NMSA 1978 (being Laws 2006, Chapter 103, Section 8, as amended) is amended to read:

"59A-53-19. FIRE PROTECTION GRANT COUNCIL--DUTIES.--

A. The "fire protection grant council" is created. Subject to the requirements of Subsection B of this section, the council shall consist of:

(1) a representative of the New Mexico municipal league;

(2) a representative of the New Mexico

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1 association of counties;

2 (3) two members appointed by the public
3 regulation commission who shall serve at the pleasure of the
4 commission;

5 (4) three members, one from each congressional
6 district, appointed by the governor who shall serve at the
7 pleasure of the governor; and

8 (5) the marshal, who shall serve as a
9 nonvoting advisory member. The council shall elect a chair and
10 vice chair from its membership.

11 B. No appointee to the council shall be a member of
12 the public regulation commission, the superintendent of
13 insurance or any other employee of the commission.

14 C. The public members [~~shall~~] are entitled to
15 receive per diem and mileage as provided in the Per Diem and
16 Mileage Act and shall receive no other compensation, perquisite
17 or allowance.

18 D. The council shall develop criteria for assessing
19 the critical needs of municipal and county fire districts for:

- 20 (1) fire apparatus and equipment;
21 (2) communications equipment;
22 (3) equipment for wildfires;
23 (4) fire station construction or expansion;
24 [~~or~~]
25 (5) equipment for hazardous material response;

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1 and

2 (6) stipends for volunteer firefighters in
3 underserved areas.

4 E. Applications for grant assistance from the fire
5 protection grant fund shall be made by fire districts to the
6 council in accordance with the requirements of the council.
7 Using criteria developed by the council, the council shall
8 evaluate applications and prioritize those applications most in
9 need of grant assistance from the fund. To the extent that
10 money in the fund is available, the council shall award grant
11 assistance for those prioritized applications.

12 F. In awarding grant assistance, the council may
13 require conditions and procedures necessary to ensure that the
14 money is expended in the most prudent manner.

15 G. When considering applications for grant
16 assistance to pay stipends to volunteer firefighters in
17 underserved areas, the council shall:

18 (1) define "underserved area";

19 (2) ensure the proposed stipends will comply
20 with the federal Fair Labor Standards Act of 1938 and United
21 States department of labor requirements for maintaining
22 volunteer status;

23 (3) require a basic level of training before a
24 volunteer may receive a stipend;

25 (4) consider whether the fire district

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1 requires a service commitment from its volunteer firefighters
2 in exchange for stipends; and

3 (5) weight the applications against other
4 criteria or requirements determined by the council."

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