

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

SENATE BILL 36

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

INTRODUCED BY

H. Diane Snyder

FOR THE JUDICIAL SYSTEM STUDY COMMITTEE

AN ACT

RELATING TO JUDGES; PROVIDING FOR SALARIES OF CHIEF JUDGES;  
MAKING AN APPROPRIATION.

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

Section 1. Section 34-1-9 NMSA 1978 (being Laws 1993,  
Chapter 278, Section 1) is amended to read:

"34-1-9. SALARIES OF JUSTICES, JUDGES AND MAGISTRATES. --

A. Justices of the supreme court shall each receive an annual salary of seventy-seven thousand two hundred fifty dollars (\$77,250). The chief justice of the supreme court shall receive an annual salary that is two thousand dollars (\$2,000) more than the annual salary of a justice of the supreme court.

B. The chief judge of:

(1) the court of appeals shall receive an

underscored material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

1 annual salary that is ninety-five percent of the annual salary  
2 of the chief justice of the supreme court;

3 (2) a district court shall receive an annual  
4 salary that is ninety-five percent of the annual salary of the  
5 chief judge of the court of appeals;

6 (3) a metropolitan court shall receive an  
7 annual salary that is ninety percent of the annual salary of  
8 the chief judge of a district court; and

9 (4) a magistrate district consisting of three  
10 or more magistrates shall receive an annual salary that is  
11 seventy-five percent of the annual salary of the chief judge  
12 of a metropolitan court.

13 C. Notwithstanding any other provision of law or  
14 any other provision of this section, the annual salaries of  
15 the following judges and magistrates shall be established as  
16 follows:

17 (1) a judge of the court of appeals shall  
18 receive an annual salary that is ninety-five percent of the  
19 annual salary of a justice of the supreme court;

20 (2) a district court judge shall receive an  
21 annual salary that is ninety-five percent of the annual salary  
22 of a judge of the court of appeals;

23 (3) a metropolitan court judge shall receive  
24 an annual salary that is ninety percent of the annual salary  
25 of a district court judge;

underscored material = new  
[bracketed material] = delete

1 (4) a full-time magistrate shall receive an  
2 annual salary that is seventy-five percent of the annual  
3 salary of a metropolitan court judge;

4 (5) a half-time magistrate shall receive an  
5 annual salary that is fifty percent of the annual salary of a  
6 full-time magistrate; and

7 (6) a quarter-time magistrate shall receive  
8 an annual salary that is twenty-five percent of the annual  
9 salary of a full-time magistrate.

10 D. For [~~the eighty-third~~] fiscal year 1995 and all  
11 subsequent fiscal years, the annual salary for justices of the  
12 supreme court, judges of the court of appeals, district court  
13 judges, metropolitan court judges and magistrates shall be  
14 established by the legislature in an appropriations act.

15 E. No additional salaries shall be paid to  
16 justices, judges or magistrates on account of services  
17 rendered the state. Justices of the supreme court, judges of  
18 the court of appeals, district court judges, metropolitan  
19 court judges and magistrates shall receive per diem and  
20 mileage for necessary travel on official business of the court  
21 as provided in the Per Diem and Mileage Act. "

22 Section 2. APPROPRIATION. -- Thirty-two thousand four  
23 hundred dollars (\$32,400) is appropriated from the general  
24 fund to the administrative office of the courts for  
25 expenditure in fiscal year 2003 to provide for the salary

underscored material = new  
[bracketed material] = delete

1 differential of chief judges. Any unexpended or unencumbered  
2 balance remaining at the end of fiscal year 2003 shall revert  
3 to the general fund.

4 Section 3. EFFECTIVE DATE. -- The effective date of the  
5 provisions of this act is July 1, 2002.

6 - 4 -