

1 SENATE JOINT RESOLUTION 13

2 **51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014**

3 INTRODUCED BY

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10 A JOINT RESOLUTION

11 PROPOSING AN AMENDMENT TO ARTICLE 20 OF THE CONSTITUTION OF NEW
12 MEXICO TO ESTABLISH A STATE MINIMUM WAGE THAT WILL INCREASE
13 ANNUALLY AT THE RATE OF INFLATION.

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15 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. It is proposed to amend Article 20 of the
17 constitution of New Mexico by adding a new section to read:

18 "A. Effective July 1, 2015, the state minimum wage
19 rate in effect on January 1, 2014 shall be increased in an
20 amount equal to the total increase in the cost of living from
21 January 1, 2009 through the date of the election at which this
22 amendment is adopted and shall be adjusted annually to account
23 for increases in the cost of living. The increase in the cost
24 of living shall be measured by the percentage increase as of
25 February of that year over the level as of February of the

.194955.5

underscoring material = new
~~[bracketed material] = delete~~

1 previous year of the consumer price index for all urban
2 consumers, United States city average for all items, or its
3 successor index, as published by the United States department
4 of labor or its successor agency, with the amount of the
5 minimum wage increase rounded to the nearest multiple of five
6 cents (\$.05). The governor shall publish by May 1 of each year
7 the adjusted minimum wage that takes effect on July 1. The
8 minimum wage shall not be adjusted downward as a result of a
9 decrease in the cost of living.

10 B. An employer may pay an employee less than, but
11 not less than sixty percent of, the minimum wage rate required
12 by this section if the employer is able to demonstrate that the
13 employee receives tips that, when combined with the wages paid
14 by the employer, are equal to or greater than the minimum wage
15 rate for all hours worked.

16 C. Nothing in this section shall prohibit a local
17 government from imposing a minimum wage rate that exceeds the
18 rate required by this section."

19 SECTION 2. The amendment proposed by this resolution
20 shall be submitted to the people for their approval or
21 rejection at the next general election or at any special
22 election prior to that date that may be called for that
23 purpose.