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HOUSE BILL 69

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY

Bob Wooley

AN ACT

RELATING TO COUNTIES; ADJUSTING THE SALARY CAPS APPLICABLE TO ELECTED COUNTY OFFICIALS; ELIMINATING THE CLASS "C" COUNTY CLASSIFICATION; REPEALING SECTION 4-44-6 NMSA 1978 (BEING LAWS 1957, CHAPTER 196, SECTION 4, AS AMENDED).

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

SECTION 1. Section 4-44-1 NMSA 1978 (being Laws 1957, Chapter 196, Section 1, as amended) is amended to read:

"4-44-1. CLASSIFICATION FOR SALARY PURPOSES.--

A. For the purpose of fixing salaries of county officers, the several counties of the state, except "H" class counties, are [~~hereby~~] classified as follows:

(1) those having a final, full assessed valuation of over seventy-five million dollars (\$75,000,000) and [~~having~~] a population of one hundred thousand persons or

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1 more as determined by the most current annual population data
2 or estimate available from the United States census bureau, as
3 class "A" counties; and

4 (2) those having a final, full assessed
5 valuation [~~in excess~~] of over seventy-five million dollars
6 (\$75,000,000) [~~with~~] and a population of less than one hundred
7 thousand persons as determined by the most current annual
8 population data or estimate available from the United States
9 census bureau, as class "B" counties [~~and~~

10 ~~(3) those having a final, full assessed~~
11 ~~valuation equal to or less than seventy-five million dollars~~
12 ~~(\$75,000,000) with a population of less than one hundred~~
13 ~~thousand persons as determined by the most current annual~~
14 ~~population data or estimate available from the United States~~
15 ~~census bureau, as class "C" counties].~~

16 B. The assessed valuation for each year [~~shall be~~]
17 is the full valuation as finally fixed for that year."

18 SECTION 2. Section 4-44-4 NMSA 1978 (being Laws 1957,
19 Chapter 196, Section 2, as amended) is amended to read:

20 "4-44-4. CLASS A COUNTIES--SALARIES.--The annual salaries
21 of elected officers of a class A [~~counties~~] county shall not
22 exceed, for:

23 A. county commissioners, [~~thirty-four thousand five~~
24 ~~dollars (\$34,005)] thirty-nine thousand one hundred six dollars
25 (\$39,106) each;~~

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1 B. treasurer, [~~seventy-five thousand three hundred~~
2 ~~twenty-seven dollars (\$75,327)] eighty-six thousand six hundred
3 twenty-six dollars (\$86,626);~~

4 C. assessor, [~~seventy-five thousand three hundred~~
5 ~~twenty-seven dollars (\$75,327)] eighty-six thousand six hundred
6 twenty-six dollars (\$86,626);~~

7 D. sheriff, [~~seventy-eight thousand five hundred~~
8 ~~fifty-five dollars (\$78,555)] ninety thousand three hundred
9 thirty-eight dollars (\$90,338);~~

10 E. county clerk, [~~seventy-five thousand three~~
11 ~~hundred twenty-seven dollars (\$75,327)] eighty-six thousand six
12 hundred twenty-six dollars (\$86,626); and~~

13 F. probate judge, [~~thirty-three thousand one~~
14 ~~hundred forty-three dollars (\$33,143)] thirty-eight thousand
15 one hundred fourteen dollars (\$38,114)."~~

16 SECTION 3. Section 4-44-4.1 NMSA 1978 (being Laws 1986,
17 Chapter 67, Section 2, as amended) is amended to read:

18 "4-44-4.1. CLASS B COUNTIES--~~[OVER THREE HUNDRED MILLION~~
19 ~~DOLLARS (\$300,000,000)] HIGH VALUATION--SALARIES.--The annual
20 salaries of elected officers of a class B [~~counties~~] county
21 with an assessed valuation of over three hundred million
22 dollars (\$300,000,000) shall not exceed, for:~~

23 A. county commissioners, [~~twenty-six thousand two~~
24 ~~hundred fifty-seven dollars (\$26,257)] thirty thousand one
25 hundred ninety-six dollars (\$30,196) each;~~

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1 B. treasurer, [~~sixty-five thousand eight hundred~~
2 ~~forty-five thousand eight hundred~~] seventy-five thousand seven
3 hundred thirty-three dollars (\$75,733);

4 C. assessor, [~~sixty-five thousand eight hundred~~
5 ~~forty-five thousand eight hundred~~] seventy-five thousand seven
6 hundred thirty-three dollars (\$75,733);

7 D. sheriff, [~~sixty-eight thousand six hundred~~
8 ~~forty-four thousand six hundred~~] seventy-eight thousand nine
9 hundred fifty-two dollars (\$78,952);

10 E. county clerk, [~~sixty-five thousand eight hundred~~
11 ~~forty-five thousand eight hundred~~] seventy-five thousand seven
12 hundred thirty-three dollars (\$75,733); and

13 F. probate judge, [~~twenty-three thousand twenty-~~
14 ~~eight thousand two hundred~~] twenty-six thousand four hundred
15 eighty-two dollars (\$26,482)."

16 SECTION 4. Section 4-44-5 NMSA 1978 (being Laws 1957,
17 Chapter 196, Section 3, as amended) is amended to read:

18 "4-44-5. CLASS B COUNTIES--INTERMEDIATE VALUATION--
19 SALARIES.--The annual salaries of elected officers of a class B
20 [~~counties~~] county with an assessed valuation of over seventy-
21 five million dollars (\$75,000,000) but under three hundred
22 million dollars (\$300,000,000) shall not exceed, for:

23 A. county commissioners, [~~eighteen thousand seven~~
24 ~~hundred twenty-five thousand~~] twenty-one thousand five
25 hundred thirty-four dollars (\$21,534) each;

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1 B. treasurer, [~~fifty-six thousand three hundred~~
2 ~~eighty-six dollars (\$56,386)~~] sixty-four thousand eight hundred
3 forty-four dollars (\$64,844);

4 C. [county] assessor, [~~fifty-six thousand three~~
5 ~~hundred eighty-six dollars (\$56,386)~~] sixty-four thousand eight
6 hundred forty-four dollars (\$64,844);

7 D. [county] sheriff, [~~fifty-eight thousand nine~~
8 ~~hundred sixty-nine dollars (\$58,969)~~] sixty-seven thousand
9 eight hundred fourteen dollars (\$67,814);

10 E. county clerk, [~~fifty-six thousand three hundred~~
11 ~~eighty-six dollars (\$56,386)~~] sixty-four thousand eight hundred
12 forty-four dollars (\$64,844); and

13 F. probate judge, [~~thirteen thousand one hundred~~
14 ~~twenty-nine dollars (\$13,129)~~] fifteen thousand ninety-eight
15 dollars (\$15,098)."

16 SECTION 5. Section 4-44-12.3 NMSA 1978 (being Laws 1991,
17 Chapter 91, Section 1, as amended) is amended to read:

18 "4-44-12.3. LEGISLATIVE INTENT--UNIFORM SALARY CHANGES.--

19 A. The intent of the legislature when [~~enacting~~
20 ~~salary increases for~~] increasing the maximum salaries of
21 elected county officials is to provide for equitable salary
22 increases.

23 B. [~~In accordance with Sections 4-44-3 through~~
24 ~~4-44-6 NMSA 1978~~] The majority of a board of county
25 commissioners may provide for salary increases for elected

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1 county officials; ~~[provided]~~ however, ~~[that no]~~ a salary
2 increase shall not take effect until the first day of the term
3 of an elected county official who takes office after the date
4 that salary increase is approved."

5 SECTION 6. Section 4-44-14 NMSA 1978 (being Laws 1955,
6 Chapter 4, Section 2, as amended) is amended to read:

7 "4-44-14. H CLASS COUNTIES--SALARIES ~~[AND EXPENSES]~~.--

8 A. ~~[Officers]~~ The annual salaries of elected or
9 appointed ~~[in a county of the H class to an office that is~~
10 ~~designated as part-time shall receive no more than the~~
11 ~~following annual salaries]~~ part-time officers of an H class
12 county shall not exceed, for:

13 (1) county commissioners, ~~[thirteen thousand~~
14 ~~seven hundred seventy-seven dollars (\$13,777)]~~ fifteen thousand
15 eight hundred forty-four dollars (\$15,844) each;

16 (2) treasurer, ~~[six thousand eight hundred~~
17 ~~eighty-nine dollars (\$6,889)]~~ seven thousand nine hundred
18 twenty-two dollars (\$7,922);

19 (3) assessor, ~~[six thousand eight hundred~~
20 ~~eighty-nine dollars (\$6,889)]~~ seven thousand nine hundred
21 twenty-two dollars (\$7,922);

22 (4) sheriff, ~~[six thousand eight hundred~~
23 ~~eighty-nine dollars (\$6,889)]~~ seven thousand nine hundred
24 twenty-two dollars (\$7,922);

25 (5) county clerk, ~~[six thousand eight hundred~~

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1 ~~eighty-nine dollars (\$6,889)]~~ seven thousand nine hundred
2 twenty-two dollars (\$7,922); and

3 (6) probate judge, [~~four thousand thirty-one~~
4 ~~dollars (\$4,031)]~~ four thousand six hundred thirty-six dollars
5 (\$4,636).

6 B. [~~Officers who are~~] The annual salaries of
7 electd or appointed [in a county of the H class to an office
8 that is designated as full-time shall receive no more than the
9 following annual salaries] full-time officers of an H class
10 county shall not exceed, for:

11 (1) treasurer, [~~sixty-five thousand eight~~
12 ~~hundred fifty-five dollars (\$65,855)]~~ seventy-five thousand
13 seven hundred thirty-three dollars (\$75,733);

14 (2) assessor, [~~sixty-five thousand eight~~
15 ~~hundred fifty-five dollars (\$65,855)]~~ seventy-five thousand
16 seven hundred thirty-three dollars (\$75,733);

17 (3) sheriff, [~~sixty-eight thousand six hundred~~
18 ~~fifty-four dollars (\$68,654)]~~ seventy-eight thousand nine
19 hundred fifty-two dollars (\$78,952); and

20 (4) county clerk, [~~sixty-five thousand eight~~
21 ~~hundred fifty-five dollars (\$65,855)]~~ seventy-five thousand
22 seven hundred thirty-three dollars (\$75,733).

23 C. The governing body of an H class county shall
24 designate whether [~~the office~~] each of the offices of
25 treasurer, assessor, sheriff [~~or~~] and county clerk is part time

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1 or full time; ~~[provided]~~ however, ~~[that no]~~ a change in that
2 designation shall not take effect until the first day of the
3 term of an elected county official who takes office after the
4 change in designation is approved.

5 ~~[D. The governing body of an H class county shall~~
6 ~~provide for salaries for the elected officials of the county~~
7 ~~pursuant to Section 4-44-12.3 NMSA 1978.]"~~

8 SECTION 7. REPEAL.--Section 4-44-6 NMSA 1978 (being Laws
9 1957, Chapter 196, Section 4, as amended) is repealed.