

FIFTY-FOURTH LEGISLATURE
SECOND SESSION, 2020

HB 6/a

February 16, 2020

Mr. President:

Your **JUDICIARY COMMITTEE**, to whom has been referred

**HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR
HOUSE BILL 6, 35 & 113**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 1, line 16, after the semicolon, strike the remainder of the line and strike lines 17 through 19 in their entirety and insert in lieu thereof "PROVIDING THAT MAGISTRATE SALARIES SHALL BE PROVIDED BY THE LEGISLATURE."
2. On page 7, line 7, after the comma, strike the remainder of the line, strike all of line 8 and strike line 9 through "served,".
3. On page 7, line 16, after the comma, strike the remainder of the line and strike all of line 17.
4. On pages 8 through 10, strike Section 4 in its entirety and insert in lieu thereof the following new section:

"SECTION 4. Section 34-1-9 NMSA 1978 (being Laws 1993, Chapter 278, Section 1, as amended) is amended to read:

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

A. Justices of the state supreme court shall each receive an annual salary as provided by the legislature. 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.

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B. The chief judge of:

(1) the court of appeals shall receive an annual salary that is ninety-five percent of the annual salary of the chief justice of the supreme court;

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

(3) a metropolitan court shall receive an annual salary that is ninety-five percent of the annual salary of the chief judge of a district court.

~~[C. The presiding magistrate of a magistrate district where three or more divisions operate as a single court shall receive an annual salary that is seventy-five percent of the annual salary of the chief judge of a metropolitan court.~~

D.] C. Notwithstanding any other provision of law or any other provision of this section, the annual salaries of the following judges [~~and magistrates~~] shall be established as follows:

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

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

(3) a metropolitan court judge shall receive an annual salary that is ninety-five percent of the annual salary of a district court judge

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

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

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

D. Magistrates shall receive an annual salary as provided by the legislature.

E. ~~[For fiscal year 1995 and all subsequent fiscal years]~~
The annual salary for justices of the supreme court, judges of the court of appeals, district court judges, metropolitan court judges and magistrates shall be ~~[established]~~ provided by the legislature in an appropriations act.

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

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and thence referred to the **FINANCE COMMITTEE.**

Respectfully submitted,

Joseph Cervantes, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 11 For 0 Against

Yes: 11

No: 0

Excused: None

Absent: None

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