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HOUSE JOINT MEMORIAL

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

FOR THE GOVERNMENT RESTRUCTURING TASK FORCE

A JOINT MEMORIAL

REQUESTING THE STATE PERSONNEL OFFICE TO CONDUCT A REVIEW OF
EXEMPT AND CLASSIFIED ADMINISTRATIVE AND MANAGERIAL POSITIONS
AND THE SALARIES PROVIDED FOR EACH CLASSIFICATION.

WHEREAS, over the last several years, the number of exempt
positions in the executive branch has grown at an alarming
rate, as have the salaries of those exempt positions; and

WHEREAS, in 2001, all cabinet secretaries made seventy-
five thousand three hundred fifty-two dollars (\$75,352); by
2010, the salary range for cabinet secretaries was from
seventy-five thousand four hundred eighteen dollars seventy-two
cents (\$75,418.72) to one hundred eighty-six thousand six
hundred sixty-four dollars nineteen cents (\$186,664.19); and

WHEREAS, not only is the pay range too broad, with a
difference of one hundred eleven thousand two hundred forty-
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1 five dollars forty-seven cents (\$111,245.47) from the minimum
2 to the maximum, the increase in cabinet secretary salaries is
3 significant over the nine-year period; and

4 WHEREAS, over that same nine-year period, a deputy cabinet
5 secretary went from a range 34 with a salary between fifty-two
6 thousand dollars (\$52,000) and eighty-three thousand five
7 hundred dollars (\$83,500) to a range 38, which is between
8 sixty-two thousand dollars (\$62,000) and one hundred fifty-
9 three thousand four hundred fifty-two dollars (\$153,452); and

10 WHEREAS, there are too many pay ranges, and the ranges
11 themselves are too wide; and

12 WHEREAS, the justification for significantly higher
13 salaries for exempt employees is that they serve at the
14 pleasure of the governor and do not have job security; however,
15 along with the higher salary comes the same benefit package as
16 that given classified employees, and some perquisites that are
17 not uniformly available to classified employees, such as use of
18 a state vehicle and cash for sick leave and all accrued annual
19 leave; and

20 WHEREAS, there have also been eight new cabinet
21 departments created in the last eight years, with high numbers
22 of exempt employees; for example, the latest department, the
23 department of information technology, has two hundred one full-
24 time-equivalent positions, which includes a management staff of
25 twelve exempt employees, including two deputy cabinet

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1 secretaries, and the Indian affairs department has fifteen
2 authorized full-time-equivalents, six of whom are exempt
3 employees; and

4 WHEREAS, contrast that with the exempt salaries plan for
5 the department of health, with almost four thousand employees
6 and only fourteen exempt employees;

7 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
8 STATE OF NEW MEXICO that the state personnel office, in
9 conjunction with the legislative finance committee, be
10 requested to study the number of exempt employees and their
11 positions, salary ranges, salaries, benefits and perquisites;
12 and

13 BE IT FURTHER RESOLVED that the state personnel office
14 reconsider many of the positions that have been determined to
15 be policymaking and, therefore, exempt from the covered
16 service; and

17 BE IT FURTHER RESOLVED that the study include
18 recommendations for bringing exempt salaries and benefits into
19 parity with classified salaries; and

20 BE IT FURTHER RESOLVED that the state personnel office and
21 the legislative finance committee report to the governor and
22 the New Mexico legislative council by September 1, 2011 on
23 recommendations for changes in law, rules, policies and the
24 exempt salaries plan; and

25 BE IT FURTHER RESOLVED that copies of this memorial be

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1 transmitted to the state personnel office and the legislative
2 finance committee.

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