

AN ACT

MAKING APPROPRIATIONS FOR SALARY INCREASES FOR EXECUTIVE,
JUDICIAL AND LEGISLATIVE EMPLOYEES AND ELECTED OFFICIALS AND
FACULTY AND STAFF OF INSTITUTIONS OF HIGHER EDUCATION.

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

Section 1. APPROPRIATIONS. - -

A. Seventeen million six hundred fifteen thousand two hundred dollars (\$17,615,200) is appropriated from the general fund to the department of finance and administration for expenditure in fiscal year 2002 to provide salary increases as follows:

(1) one million six hundred thirty-nine thousand three hundred dollars (\$1,639,300) to provide:

(a) those judicial permanent employees whose salaries are not set by statute and whose salaries fall below the minimum salary range of the salary schedule, a salary increase sufficient to raise their salaries to the minimum of the assigned salary range of the salary schedule. The salary increase shall be effective the first full pay period after July 1, 2001; and

(b) all judicial permanent employees whose salaries are not set by statute, an anniversary date salary increase based on a variable pay-for-performance salary matrix that provides a minimum of two percent of the midpoint value of the employee's salary range; the increase

is subject to a performance evaluation rating greater than "fails to meet expectations" in accordance with the judicial personnel and compensation plan. The salary increase shall be effective the first full pay period after the employee's anniversary date. The performance-based salary increase is intended to address performance and market competitiveness and shall be implemented with consideration to the recommendations resulting from the Hay management consultants' review of the judicial branch classification and compensation plan during fiscal year 2001 and shall limit the percentage of employees who are eligible for the highest anniversary date increase. The administrative office of the courts is directed to provide a report to the legislature no later than January 15, 2002 on a plan to move employees to the appropriate position within a salary range;

(2) nine hundred thirty-seven thousand three hundred dollars (\$937,300) to provide the justices of the supreme court a salary increase to ninety-six thousand two hundred eighty-three dollars (\$96,283); and to provide the chief justice of the supreme court; the chief judge of the court of appeals; judges of the court of appeals, district courts, metropolitan courts and magistrate courts; and child support hearing officers and special commissioners, a salary increase pursuant to the provisions of Section 34-1-9 NMSA 1978. The salary increase shall be effective the first full pay period after July 1, 2001;

(3) one million two hundred sixty-one thousand seven hundred dollars (\$1,261,700) to provide:

(a) district attorney permanent employees whose salaries fall below the minimum of the salary range a salary increase sufficient to raise their salaries up to the minimum of the assigned salary range of the salary schedule that becomes effective July 1, 2001. The salary schedule established shall be comparable to that established for the executive classified service. The salary increase shall be effective the first full pay period after July 1, 2001; and

(b) all district attorney permanent employees, other than elected district attorneys, with a salary increase based on a variable merit increase plan that provides a minimum of two percent of the midpoint value of the employee's salary range, with no more than thirty percent of all district attorney permanent employees being eligible for the highest increase. The increases shall be subject to satisfactory job performance and in accordance with the district attorney pay plan. The salary increase shall be effective the first full pay period after the employee's anniversary date;

(4) eighty-nine thousand seven hundred dollars (\$89,700) to provide salary increases for district attorneys as follows: district attorneys who serve in a district that does not include a class A county shall

receive an annual salary of eighty-three thousand two hundred eighty-seven dollars (\$83,287) and district attorneys who serve in a district that includes a class A county shall receive an annual salary of eighty-seven thousand six hundred seventy-two dollars (\$87,672). The salary increase shall be effective the first full pay period after July 1, 2001;

(5) eleven million two hundred forty-five thousand five hundred dollars (\$11,245,500) to provide:

(a) incumbents in agencies governed by the Personnel Act whose salaries fall below the minimum salary range a salary increase sufficient to raise their salaries to the minimum of the assigned salary range of the salary schedule that becomes effective July 1, 2001. The salary increase shall be effective the first full pay period after July 1, 2001; and

(b) incumbents in agencies governed by the Personnel Act an increase based on a compensation package approved by the personnel board that addresses both performance and market competitiveness and is based on a variable pay-for-performance salary matrix that provides a minimum two percent salary increase for all employees with a performance evaluation rating better than "unsatisfactory", with no more than thirty percent of state employees being provided with the highest increase. In granting this salary increase, any salary increases given pursuant to

Subparagraph (a) of Paragraph (5) of Subsection A of this section may be taken into consideration. The salary increase shall be effective the first full pay period after the employee's anniversary date. The state personnel office shall provide a plan to the legislature no later than January 15, 2002 on how it intends to move employees to the appropriate position within a pay band;

(6) three hundred forty-eight thousand six hundred dollars (\$348,600) to provide commissioned officers of the New Mexico state police division of the department of public safety with a salary step increase in accordance with the New Mexico state police career pay system and subject to satisfactory job performance;

(7) one million six thousand nine hundred dollars (\$1,006,900) to provide executive exempt employees, including attorney general employees and workers' compensation judges, with an average six and one-half percent merit salary increase based on job performance. The salary increase shall be effective the first full pay period after the employee's anniversary date;

(8) five hundred seventy-nine thousand two hundred dollars (\$579,200) to provide teachers in the children, youth and families department, the department of health and the corrections department with an eight percent salary increase. The salary increase shall be effective the first full pay period after the employee's anniversary date;

and

(9) five hundred seven thousand dollars (\$507,000) to provide permanent legislative employees, including permanent employees of the legislative council service, legislative finance committee, legislative education study committee, legislative maintenance department, the house of representatives and the senate and house and senate leadership staff with an average six and one-half percent merit salary increase based on job performance. The performance-based salary increase is intended to address performance and market competitiveness and shall be implemented with consideration to the recommendations resulting from the national conference of state legislatures' study. The salary increase shall be effective the first full pay period after the employee's anniversary date.

B. The following amounts are appropriated to the department of finance and administration for expenditure in fiscal year 2002 to provide salary increases as follows:

(1) one million five hundred thousand dollars (\$1,500,000) to provide a five percent salary increase for the social worker series of the protective services division of the children, youth and families department. The salary increase shall be effective the first full pay period after July 1, 2001;

(2) two million four hundred ninety

thousand four hundred dollars (\$2,490,400) to provide adult correctional officers of the following ranks: correctional officer one, correctional officer sergeant, correctional officer two, correctional officer three, correctional officer four and the correctional officer specialists series of the corrections department a fifty cent (\$.50) per hour salary increase effective the first full pay period following July 1, 2001 and a fifty cent (\$.50) per hour salary increase effective the first full pay period following January 1, 2002; and

(3) three hundred twenty thousand dollars (\$320,000) to provide the tax account auditor series of the taxation and revenue department with a compa-ratio to compa-ratio that was in effect prior to July 1, 2001, a salary increase based on new salary grades adopted by the personnel board in 1999. The salary increase shall be effective the first full pay period following January 1, 2002.

C. Thirty-three million eight thousand five hundred dollars (\$33,008,500) is appropriated from the general fund to the commission on higher education for expenditure in fiscal year 2002 to provide faculty of four- and two-year post-secondary educational institutions with a seven percent salary increase and other staff of four- and two-year post-secondary educational institutions with a six and one-half percent salary increase. The salary increase

shall be effective the first full pay period after July 1, 2001.

D. The department of finance and administration shall distribute a sufficient amount to each agency to provide the appropriate increase for those employees whose salaries are received as a result of the general fund appropriations. Any unexpended or unencumbered balance remaining at the end of fiscal year 2002 shall revert to the general fund.

E. For those state employees whose salaries are referenced in or received as a result of non-general fund appropriations in the General Appropriation Act of 2001, the department of finance and administration shall transfer from the appropriate fund to the appropriate agency the amount required for the salary increases equivalent to those provided for in this act, and such amounts are appropriated for expenditure in fiscal year 2002. Any unexpended or unencumbered balance remaining at the end of fiscal year 2002 shall revert to the appropriate fund. _____
