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HOUSE BILL 8

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Luciano "Lucky" Varela

AN ACT

**MAKING APPROPRIATIONS FOR SALARY INCREASES FOR EXECUTIVE,
JUDICIAL AND LEGISLATIVE EMPLOYEES AND ELECTED OFFICIALS;
PUBLIC SCHOOL TEACHERS AND OTHER PERSONNEL; 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. Nineteen million eight hundred fifteen thousand
two hundred dollars (\$19,815,200) 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 seven hundred sixty-five
thousand six hundred dollars (\$1,765,600):**

(a) to provide a salary increase to

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

8 (b) to provide all judicial permanent
9 employees whose salaries are not set by statute an anniversary
10 date salary increase based on a variable pay-for-performance
11 salary matrix that provides a minimum of two percent of the
12 midpoint value of the employee's salary range; the increase is
13 subject to a performance evaluation rating greater than "fails
14 to meet expectations", in accordance with the judicial
15 personnel and compensation plan. The salary increase shall be
16 effective the first full pay period after the employee's
17 anniversary date. The performance-based salary increase is
18 intended to address performance and market competitiveness and
19 shall be implemented with consideration to the recommendations
20 resulting from the Hay management consultants' review of the
21 judicial branch classification and compensation plan during
22 the 2001 legislature and shall limit the percentage of
23 employees who are eligible for the highest anniversary date
24 increase. The administrative office of the courts is directed
25 to provide a report to the legislature no later than January

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1 15, 2002 on a plan to move employees to the appropriate
2 position within a salary range;

3 (2) one million nine thousand four hundred
4 dollars (\$1,009,400) to provide the justices of the supreme
5 court a salary increase to ninety-six thousand seven hundred
6 thirty-five dollars (\$96,735); and to provide the chief
7 justice of the supreme court; the chief judge of the court of
8 appeals; judges of the court of appeals, district courts,
9 metropolitan courts and magistrate courts; and child support
10 hearing officers and special commissioners, a salary increase
11 pursuant to the provisions of Section 34-1-9 NMSA 1978. The
12 salary increase shall be effective the first full pay period
13 after July 1, 2001;

14 (3) five hundred forty-one thousand five
15 hundred ninety-one dollars (\$541,591) to provide district
16 attorney permanent employees whose salaries fall below the
17 minimum of the salary range a salary increase sufficient to
18 raise their salaries up to the minimum of the assigned salary
19 range of the salary schedule. The salary increase shall be
20 effective the first full pay period after July 1, 2001;

21 (4) eight hundred seventeen thousand nine
22 dollars (\$817,009) to provide all district attorney permanent
23 employees, other than elected district attorneys, with a
24 salary increase based on a variable merit increase plan that
25 provides a minimum of two percent of the midpoint value of the

1 employee's salary range and a maximum of six percent of the
2 midpoint value of the employee's salary range, with no more
3 than thirty percent of all district attorney permanent
4 employees being eligible for the highest increase. The
5 increases shall be subject to satisfactory job performance and
6 in accordance with the district attorney pay plan. The salary
7 increase shall be effective the first full pay period after
8 the employee's anniversary date;

9 (5) ninety-six thousand six hundred dollars
10 (\$96,600) to provide salary increases for district attorneys
11 as follows: district attorneys who serve in a district that
12 does not include a class A county shall receive an annual
13 salary of eighty-three thousand six hundred seventy-eight
14 dollars (\$83,678), and district attorneys who serve in a
15 district that includes a class A county shall receive an
16 annual salary of eighty-eight thousand eighty-three dollars
17 (\$88,083). The salary increase shall be effective the first
18 full pay period after July 1, 2001;

19 (6) two million five hundred thousand dollars
20 (\$2,500,000) to provide incumbents in agencies governed by the
21 Personnel Act whose salaries fall below the minimum salary
22 range a salary increase sufficient to raise their salaries to
23 the minimum of the assigned salary range of the salary
24 schedule. The salary increase shall be effective the first
25 full pay period after July 1, 2001;

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1 (7) nine million six hundred twelve thousand
2 four hundred dollars (\$9,612,400) to implement a compensation
3 package approved by the personnel board that addresses both
4 performance and market competitiveness and is based on a
5 variable pay-for-performance salary matrix that provides a
6 minimum two percent salary increase for all employees with a
7 performance evaluation rating better than "unsatisfactory" and
8 an average increase of six percent of salary for all
9 employees, with no more than thirty percent of state employees
10 being provided with the highest increase. The salary increase
11 shall be effective the first full pay period after the
12 employee's anniversary date. The state personnel office shall
13 provide a plan to the legislature no later than January 15,
14 2002 on how it intends to move employees to the appropriate
15 position within a pay band;

16 (8) three hundred forty-eight thousand six
17 hundred dollars (\$348,600) to provide commissioned officers of
18 the New Mexico state police division of the department of
19 public safety with a salary step increase in accordance with
20 the New Mexico state police career pay system and subject to
21 satisfactory job performance; and five hundred ninety-seven
22 thousand dollars (\$597,000) to provide commissioned officers
23 of the New Mexico state police division of the department of
24 public safety with a two percent cost-of-living salary
25 increase. The salary increases shall be effective the first

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1 full pay period after July 1, 2001;

2 (9) two million thirty thousand two hundred
3 dollars (\$2,030,200) to provide executive exempt employees,
4 including attorney general employees; workers' compensation
5 judges; and teachers in the children, youth and families
6 department, department of health and corrections departments,
7 with an average seven percent merit salary increase based on
8 job performance. The salary increase shall be effective the
9 first full pay period after the employee's anniversary date;
10 and

11 (10) four hundred ninety-six thousand eight
12 hundred dollars (\$496,800) to provide permanent legislative
13 employees, including permanent employees of the legislative
14 council service, legislative finance committee, legislative
15 education study committee, legislative maintenance department
16 and the house and senate, with an average seven percent merit
17 salary increase based on job performance. The performance-
18 based salary increase is intend to address performance and
19 market competitiveness and shall be implemented with
20 consideration to the recommendations resulting from the
21 national conference of state legislatures' study. The salary
22 increase shall be effective the first full pay period after
23 the employee's anniversary date.

24 B. The following amounts are appropriated to the
25 department of finance and administration for expenditure in

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1 fiscal year 2002 to provide salary increase as follows:

2 (1) one million five hundred thousand dollars
3 (\$1,500,000) to provide a five percent salary increase for the
4 social worker series of the protective services division of
5 the children, youth and families department. The salary
6 increase shall be effective the first full pay period after
7 July 1, 2001;

8 (2) one million seven hundred eighty thousand
9 eight hundred forty-five dollars (\$1,780,845) to provide the
10 correctional officer and correctional officer specialists
11 series of the corrections department a fifty cent (\$.50) per
12 hour salary increase. The salary increase shall be effective
13 the first full pay period following July 1, 2001; and

14 (3) six hundred forty thousand dollars
15 (\$640,000) to provide the tax account auditor series of the
16 taxation and revenue department with a compa-ratio to
17 compa-ratio salary increase based on new salary grades adopted
18 by the personnel board in 1999. The salary increase shall be
19 effective the first full pay period following July 1, 2001.

20 C. One hundred two million six hundred forty
21 thousand four hundred dollars (\$102,640,400) is appropriated
22 from the general fund to the state department of public
23 education for expenditure in fiscal year 2002 for the state
24 equalization guarantee that contains sufficient funds to
25 provide an eight percent salary increase for teachers and a

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1 seven percent increase for other instructional staff,
2 certified and noncertified, including transportation
3 employees.

4 D. Thirty-three million eight hundred ninety-eight
5 thousand seven hundred dollars (\$33,898,700) is appropriated
6 from the general fund to the commission on higher education
7 for expenditure in fiscal year 2002 to provide faculty and
8 other staff of four- and two-year post-secondary educational
9 institutions with a seven percent salary increase. The salary
10 increase shall be effective the first full pay period after
11 July 1, 2001.

12 E. The department of finance and administration
13 shall distribute a sufficient amount to each agency to provide
14 the appropriate increase for those employees whose salaries
15 are received as a result of the general fund appropriations in
16 the General Appropriation Act of 2001. Any unexpended or
17 unencumbered balance remaining at the end of fiscal year 2002
18 shall revert to the general fund.

19 F. For those state employees whose salaries are
20 referenced in or received as a result of non-general fund
21 appropriations in the General Appropriation Act of 2001, the
22 department of finance and administration shall transfer from
23 the appropriate fund to the appropriate agency the amount
24 required for the salary increases equivalent to those provided
25 for in this act, and such amounts are appropriated for

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1 expenditure in fiscal year 2002. Any unexpended or
2 unencumbered balance remaining at the end of fiscal year 2002
3 shall revert to the appropriate fund.

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