

SENATE FINANCE COMMITTEE SUBSTITUTE FOR
SENATE BILL 68

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

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

1 below the minimum salary range of the salary schedule, a
2 salary increase sufficient to raise their salaries to the
3 minimum of the assigned salary range of the salary schedule.
4 The salary increase shall be effective the first full pay
5 period after July 1, 2001; and

6 (b) all judicial permanent employees
7 whose salaries are not set by statute, an anniversary date
8 salary increase based on a variable pay-for-performance salary
9 matrix that provides a minimum of two percent of the midpoint
10 value of the employee's salary range; the increase is subject
11 to a performance evaluation rating greater than "fails to meet
12 expectations" in accordance with the judicial personnel and
13 compensation plan. The salary increase shall be effective the
14 first full pay period after the employee's anniversary date.
15 The performance-based salary increase is intended to address
16 performance and market competitiveness and shall be
17 implemented with consideration to the recommendations
18 resulting from the Hay management consultants' review of the
19 judicial branch classification and compensation plan during
20 fiscal year 2001 and shall limit the percentage of employees
21 who are eligible for the highest anniversary date increase.
22 The administrative office of the courts is directed to provide
23 a report to the legislature no later than January 15, 2002 on
24 a plan to move employees to the appropriate position within a
25 salary range;

1 (2) nine hundred thirty-seven thousand three
2 hundred dollars (\$937,300) to provide the justices of the
3 supreme court a salary increase to ninety-six thousand two
4 hundred eighty-three dollars (\$96,283); and to provide the
5 chief justice of the supreme court; the chief judge of the
6 court of appeals; judges of the court of appeals, district
7 courts, metropolitan courts and magistrate courts; and child
8 support hearing officers and special commissioners, a salary
9 increase pursuant to the provisions of Section 34-1-9 NMSA
10 1978. The salary increase shall be effective the first full
11 pay period after July 1, 2001;

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

14 (a) district attorney permanent
15 employees whose salaries fall below the minimum of the salary
16 range a salary increase sufficient to raise their salaries up
17 to the minimum of the assigned salary range of the salary
18 schedule that becomes effective July 1, 2001. The salary
19 schedule established shall be comparable to that established
20 for the executive classified service. The salary increase
21 shall be effective the first full pay period after July 1,
22 2001; and

23 (b) all district attorney permanent
24 employees, other than elected district attorneys, with a
25 salary increase based on a variable merit increase plan that

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

9 (4) eighty-nine thousand seven hundred
10 dollars (\$89,700) to provide salary increases for district
11 attorneys as follows: district attorneys who serve in a
12 district that does not include a class A county shall receive
13 an annual salary of eighty-three thousand two hundred eighty-
14 seven dollars (\$83,287) and district attorneys who serve in a
15 district that includes a class A county shall receive an
16 annual salary of eighty-seven thousand six hundred seventy-two
17 dollars (\$87,672). The salary increase shall be effective the
18 first full pay period after July 1, 2001;

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

21 (a) incumbents in agencies governed by
22 the Personnel Act whose salaries fall below the minimum salary
23 range a salary increase sufficient to raise their salaries to
24 the minimum of the assigned salary range of the salary
25 schedule that becomes effective July 1, 2001. The salary

1 increase shall be effective the first full pay period after
2 July 1, 2001; and

3 (b) incumbents in agencies governed by
4 the Personnel Act an increase based on a compensation package
5 approved by the personnel board that addresses both
6 performance and market competitiveness and is based on a
7 variable pay-for-performance salary matrix that provides a
8 minimum two percent salary increase for all employees with a
9 performance evaluation rating better than "unsatisfactory",
10 with no more than thirty percent of state employees being
11 provided with the highest increase. In granting this salary
12 increase, any salary increases given pursuant to Subparagraph
13 (a) of Paragraph (5) of Subsection A of this section may be
14 taken into consideration. The salary increase shall be
15 effective the first full pay period after the employee's
16 anniversary date. The state personnel office shall provide a
17 plan to the legislature no later than January 15, 2002 on how
18 it intends to move employees to the appropriate position
19 within a pay band;

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

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

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

15 (9) five hundred seven thousand dollars
16 (\$507,000) to provide permanent legislative employees,
17 including permanent employees of the legislative council
18 service, legislative finance committee, legislative education
19 study committee, legislative maintenance department, the house
20 of representatives and the senate and house and senate
21 leadership staff with an average six and one-half percent
22 merit salary increase based on job performance. The
23 performance-based salary increase is intended to address
24 performance and market competitiveness and shall be
25 implemented with consideration to the recommendations

1 resulting from the national conference of state legislatures'
2 study. The salary increase shall be effective the first full
3 pay period after the employee's anniversary date.

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

7 (1) one million five hundred thousand dollars
8 (\$1,500,000) to provide a five percent salary increase for the
9 social worker series of the protective services division of
10 the children, youth and families department. The salary
11 increase shall be effective the first full pay period after
12 July 1, 2001;

13 (2) two million four hundred ninety thousand
14 four hundred dollars (\$2,490,400) to provide adult
15 correctional officers of the following ranks: correctional
16 officer one, correctional officer sergeant, correctional
17 officer two, correctional officer three, correctional officer
18 four and the correctional officer specialists series of the
19 corrections department a fifty cent (\$.50) per hour salary
20 increase effective the first full pay period following July 1,
21 2001 and a fifty cent (\$.50) per hour salary increase
22 effective the first full pay period following January 1, 2002;
23 and

24 (3) three hundred twenty thousand dollars
25 (\$320,000) to provide the tax account auditor series of the

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1 taxation and revenue department with a compa-ratio to compa-
2 ratio that was in effect prior to July 1, 2001, a salary
3 increase based on new salary grades adopted by the personnel
4 board in 1999. The salary increase shall be effective the
5 first full pay period following January 1, 2002.

6 C. Thirty-three million eight thousand five
7 hundred dollars (\$33,008,500) is appropriated from the general
8 fund to the commission on higher education for expenditure in
9 fiscal year 2002 to provide faculty of four- and two-year
10 post-secondary educational institutions with a seven percent
11 salary increase and other staff of four- and two-year post-
12 secondary educational institutions with a six and one-half
13 percent salary increase. The salary increase shall be
14 effective the first full pay period after July 1, 2001.

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

21 E. For those state employees whose salaries are
22 referenced in or received as a result of non-general fund
23 appropriations in the General Appropriation Act of 2001, the
24 department of finance and administration shall transfer from
25 the appropriate fund to the appropriate agency the amount

1 required for the salary increases equivalent to those provided
2 for in this act, and such amounts are appropriated for
3 expenditure in fiscal year 2002. Any unexpended or
4 unencumbered balance remaining at the end of fiscal year 2002
5 shall revert to the appropriate fund.

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