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HOUSE BILL 190

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

INTRODUCED BY

Edward C. Sandoval

AN ACT

RELATING TO PUBLIC EMPLOYEES; INCREASING THE MINIMUM SALARY
FOR STATE EMPLOYEES AND CERTAIN STATE EDUCATIONAL INSTITUTION
EMPLOYEES; INDEXING THE MINIMUM SALARY TO THE RATE OF
INFLATION; MAKING AN APPROPRIATION.

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

Section 1. Section 10-7-9 NMSA 1978 (being Laws 1974,
Chapter 10, Section 2) is amended to read:

"10-7-9. MINIMUM SALARY RATE. --Every state employee and
every person regularly employed at a state educational
institution named in Article 12, Section 11 of the
constitution of New Mexico [~~constitution~~], except student
employees as defined by the [~~board of educational finance~~]
commission on higher education, shall receive a salary at a
rate equal to at least four hundred dollars (\$400) per month,

underscored material = new
[bracketed material] = delete

1 provided that state employees whose positions are covered by
2 the Personnel Act shall receive a salary at a rate equal to at
3 least seven dollars fifty cents (\$7.50) per hour for fiscal
4 year 2003. After fiscal year 2003, every state employee and
5 state educational institution employee described in this
6 section shall receive a salary at a rate equal to at least:

7 A. eight dollars fifty cents (\$8.50) per hour for
8 fiscal year 2004;

9 B. nine dollars fifty cents (\$9.50) per hour for
10 fiscal year 2005; and

11 C. a rate per hour adjusted for inflation and
12 determined annually by the state personnel office for each
13 fiscal year thereafter. The adjusted rate per hour for any
14 fiscal year shall be determined by multiplying nine dollars
15 fifty cents (\$9.50) by a fraction, the numerator of which is
16 the consumer price index ending during the calendar year prior
17 to the beginning of the fiscal year and the denominator of
18 which is the consumer price index ending in calendar year
19 2004. The result of the multiplication shall be rounded down
20 to the nearest tenth of a dollar, except that if the result
21 would be an amount less than the rate for the preceding fiscal
22 year, then no adjustment shall be made for that fiscal year.
23 For purposes of this subsection, "consumer price index" means
24 the average of the consumer price index for all urban
25 consumers published by the United States department of labor

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[bracketed material] = delete

1 for the four quarterly periods ending December 31 of the
2 calendar year. The state personnel office shall publish
3 annually the rate determined by the calculation and distribute
4 it to state agencies and state educational institutions
5 subject to the provisions of this section. "

6 Section 2. APPROPRIATION. --Six hundred twenty-four
7 thousand dollars (\$624,000) is appropriated from the general
8 fund to the department of finance and administration for
9 expenditure in fiscal year 2003 for salary increases necessary
10 to comply with the provisions of this act. Salary increases
11 required pursuant to this act shall be effective the first
12 full pay period after July 1, 2002. Any unexpended or
13 unencumbered balance remaining at the end of fiscal year 2003
14 shall revert to the general fund.

15 Section 3. EFFECTIVE DATE. --The effective date of the
16 provisions of this act is July 1, 2002.