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HOUSE BILL 107

47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

INTRODUCED BY

Al Park

FOR THE COURTS, CORRECTIONS AND JUSTICE COMMITTEE

AN ACT

RELATING TO COURTS; INCREASING THE SALARIES OF METROPOLITAN AND
MAGISTRATE COURT JUDGES; MAKING AN APPROPRIATION.

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

Section 1. Section 34-1-9 NMSA 1978 (being Laws 1993,
Chapter 278, Section 1, as amended) is amended to read:

"34-1-9. SALARIES OF JUSTICES, JUDGES AND MAGISTRATES.--

A. Justices of the supreme court shall each
receive an annual salary as provided by the legislature. The
chief justice of the supreme court shall receive an annual
salary that is two thousand dollars (\$2,000) more than the
annual salary of a justice of the supreme court.

B. The chief judge of:

(1) the court of appeals shall receive an
annual salary that is ninety-five percent of the annual

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1 salary of the chief justice of the supreme court;

2 (2) a district court shall receive an annual
3 salary that is ninety-five percent of the annual salary of the
4 chief judge of the court of appeals; and

5 (3) a metropolitan court shall receive an
6 annual salary that is [~~ninety~~] ninety-five percent of the
7 annual salary of the chief judge of a district court.

8 C. The presiding magistrate of a magistrate
9 district where three or more divisions operate as a single
10 court shall receive an annual salary that is seventy-five
11 percent of the annual salary of the chief judge of a
12 metropolitan court.

13 D. Notwithstanding any other provision of law or
14 any other provision of this section, the annual salaries of the
15 following judges and magistrates shall be established as
16 follows:

17 (1) a judge of the court of appeals shall
18 receive an annual salary that is ninety-five percent of the
19 annual salary of a justice of the supreme court;

20 (2) a district court judge shall receive an
21 annual salary that is ninety-five percent of the annual salary
22 of a judge of the court of appeals;

23 (3) a metropolitan court judge shall receive
24 an annual salary that is [~~ninety~~] ninety-five percent of the
25 annual salary of a district court judge;

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1 (4) a full-time magistrate shall receive an
2 annual salary that is seventy-five percent of the annual salary
3 of a metropolitan court judge;

4 (5) a half-time magistrate shall receive an
5 annual salary that is fifty percent of the annual salary of a
6 full-time magistrate; and

7 (6) a quarter-time magistrate shall receive an
8 annual salary that is twenty-five percent of the annual salary
9 of a full-time magistrate.

10 E. For fiscal year 1995 and all subsequent fiscal
11 years, the annual salary for justices of the supreme court,
12 judges of the court of appeals, district court judges,
13 metropolitan court judges and magistrates shall be established
14 by the legislature in an appropriations act.

15 F. No additional salaries shall be paid to
16 justices, judges or magistrates on account of services rendered
17 the state. Justices of the supreme court, judges of the court
18 of appeals, district court judges, metropolitan court judges
19 and magistrates shall receive per diem and mileage for
20 necessary travel on official business of the court as provided
21 in the Per Diem and Mileage Act."

22 Section 2. APPROPRIATION.--

23 A. Three hundred eighty-seven thousand six hundred
24 twenty-two dollars (\$387,622) is appropriated from the general
25 fund to the following agencies for expenditure in fiscal year
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1 2007 to pay the cost of increasing the percentage of judicial
2 salaries pursuant to Section 34-1-9 NMSA 1978 in the following
3 amounts:

4 (1) one hundred five thousand one hundred
5 eighty-eight dollars (\$105,188) to the Bernalillo county
6 metropolitan court for the increase in metropolitan judges'
7 salaries; and

8 (2) two hundred eighty-two thousand four
9 hundred thirty-four dollars (\$282,434) to the administrative
10 office of the courts for the increase in magistrate judges'
11 salaries.

12 B. The salary increases shall be effective the
13 first full pay period after July 1, 2006. Any unexpended or
14 unencumbered balance remaining at the end of fiscal year 2007
15 shall revert to the general fund.