

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: CS/CS/SB 633

51st Legislature, 1st Session, 2013

Tracking Number: .193527.2

Short Title: State Employee 3% Raises

Sponsor: Senator Howie C. Morales

Analyst: David Craig

Date: March 12, 2013

**SENATE PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR
SENATE PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR
SENATE BILL 633**

Bill Summary:

CS/CS/SB 633 provides for an average 3.0 percent salary increase for public employees, including public school employees and higher education staff, effective the first full pay period after July 1, 2013.

For public school employees, the bill:

- specifies that the 3.0 percent increase is in addition to salary increase due to licensure advancement; and
- requires the Secretary of Public Education, before approving school districts' and charter schools' budget, to verify that each school district and charter school is providing an average 3.0 percent salary increase for all licensed and unlicensed employees.

Fiscal Impact:

\$78,658,200 is appropriated from the General Fund to provide an average 3.0 percent salary increase to be distributed as follows:

- \$24,177,900 to the Department of Finance and Administration (DFA) for employees in budgeted positions who have completed the probationary period, subject to satisfactory job performance;
- \$17,534,444 to the Higher Education Department (HED) for faculty and staff increases;
- \$53,151,900 is appropriated from the General Fund to the Public School Fund State Equalization Guarantee (SEG) distribution for all teachers, instructional staff, and other licensed and unlicensed staff; and
- \$1,328,400 to the Public School Fund for school transportation employees.

Substantive Issues:

According to the Legislative Finance Committee (LFC) budget recommendation press release from January 9, 2013:

- the LFC budget recommendation includes funding for a 1.0 percent pay increase for all state employees, including public school teachers and support staff; and
- the Legislature has not approved raises for state employees since 2008.

CS/CS/SB 633 would give raises in addition to these raises.

According to the Attorney General's analysis of the original SB 633:

- if the intent is to give all state government employees, regardless of union representation, the same raise;
- then it is wise to make separate appropriations for represented and unrepresented employees, as done in this bill (see State of New Mexico v. American Federation of State County and Municipal Employees, Council 18, Court of Appeals case 30,847).

Committee Referrals:

SPAC/SFC

Related Bills:

SB 384 *Increase Judicial Salaries*

SB 391 *Judicial Pay Increases Based On Service*

SB 416 *Raise Minimum Wage*

SB 570 *Increase for Certain School Employees*