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SENATE BILL 666

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Linda M Lopez

AN ACT

RELATING TO WAGES; INCREASING THE MINIMUM WAGE RATE; AMENDING
A SECTION OF THE MINIMUM WAGE ACT TO PROVIDE A MINIMUM LIVING
WAGE RATE.

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

Section 1. Section 50-4-22 NMSA 1978 (being Laws 1955,
Chapter 200, Section 3, as amended) is amended to read:

"50-4-22. MINIMUM WAGES. - -

A. Every employer, except as provided in Section
50-4-21 NMSA 1978, shall pay ~~[the]~~ a living minimum wage rate
of ~~[\$4.25]~~ \$9.00 an hour, excepting that an employer
furnishing food, utilities, supplies or housing to an employee
who is engaged in agriculture may deduct the reasonable value
of such furnished items from any wages due to the employee.

B. All employees covered by Subsection A of this

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1 section who customarily and regularly receive more than thirty
2 dollars (\$30.00) a month in tips shall be paid a minimum
3 hourly wage of two dollars twelve and one-half cents (\$2.125).
4 The employer may consider tips as part of wages, but such a
5 wage credit shall not exceed fifty percent of the minimum
6 wage. All tips received by such employees shall be retained
7 by the employee, except that nothing [~~herein~~] in this section
8 shall prohibit the pooling of tips among employees.

9 C. No employee covered by the provisions of
10 Subsection A of this section shall be required to work more
11 than forty hours in any week of seven days, unless he is paid
12 one and one-half times his regular hourly rate of pay for all
13 hours worked in excess of forty hours. "

14 Section 2. EFFECTIVE DATE. --The effective date of the
15 provisions of this act is July 1, 1999.