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SENATE BILL

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

FOR THE GOVERNMENT RESTRUCTURING TASK FORCE

AN ACT

RELATING TO EXECUTIVE SALARIES; REQUIRING SALARIES TO BE
REPORTED IN THE EXEMPT SALARIES PLAN; REQUIRING LEGISLATIVE
ADOPTION IN THE GENERAL APPROPRIATION ACT.

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

SECTION 1. Section 10-9-5 NMSA 1978 (being Laws 1978,
Chapter 96, Section 1, as amended) is amended to read:

"10-9-5. PUBLIC OFFICERS AND PUBLIC EMPLOYEES--EXECUTIVE
BRANCH--ANNUAL EXEMPT SALARIES PLAN.--

A. The department of finance and administration
shall prepare, by December 1 of each year, an exempt salaries
plan for the governor's approval. The plan shall specify the
salary [~~ranges~~] for the following public officer and public
employee positions of the executive branch of government for
the current and subsequent fiscal years:

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- 1 (1) members of boards and commissions
2 appointed by the governor that are paid a salary;
- 3 (2) heads of agencies or departments appointed
4 by the governor;
- 5 (3) heads of agencies or departments appointed
6 by the respective boards and commissions of the agencies;
- 7 (4) directors of department divisions;
- 8 (5) employees in the governor's office;
- 9 (6) positions in the state militia and the
10 commissioned officers of the New Mexico state police division
11 of the department of public safety;
- 12 (7) assistants and secretaries in the offices
13 of each official covered by Paragraphs (2), (3) and (10) of
14 this subsection;
- 15 (8) positions of a professional or scientific
16 nature ~~[which]~~ that are temporary in nature;
- 17 (9) state employees whose positions the
18 personnel board has classified as policymaking positions and
19 exempt employees of elective public officials; and
- 20 (10) secretaries of departments appointed by
21 the governor.

22 B. Excluded from the provisions of this section are
23 employees of [~~the commission on higher education and employees~~
24 ~~of~~] state educational institutions named in Article 12, Section
25 11 of the constitution of New Mexico.

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1 C. The exempt salaries plan for the ensuing fiscal
2 year, as prepared by the department of finance and
3 administration and approved by the governor, shall be published
4 as a part of the executive budget document presented to the
5 legislature at its next regular session following the
6 preparation of the plan.

7 ~~[D. Upon the governor's approval, the plan shall~~
8 ~~take effect at the beginning of the subsequent fiscal year.]~~

9 D. The exempt salaries plan for the subsequent
10 fiscal year shall be included in the general appropriation
11 act."