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## FISCAL IMPACT REPORT

SPONSOR: Sanchez, M. DATE TYPED: 02/21/01 HB \_\_\_\_\_  
 SHORT TITLE: Justices and Judges Salary Increase SB 409  
 ANALYST: Hayes

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
	\$ 1,379.0			Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Relates to Appropriation in The General Appropriation Act HB2, committee substitute, along with HB8 (duplicate) and SB68.

### SOURCES OF INFORMATION

LFC budget files  
 Administrative Office of the Courts (AOC)

### SUMMARY

#### Synopsis of Bill

SB409 appropriates \$1,379.0 from the general fund to various judicial entities for the purpose of providing justices of the Supreme Court a ten percent (10%) salary increase; and pursuant to Section 34-1-9 NMSA 1978, to provide a salary increase for the chief justice of the Supreme Court, the chief judge of the Court of Appeals, judges of the Court of Appeals, district court judges, metropolitan court judges and magistrate judges.

#### Significant Issues

- c Salaries for justices of the Supreme Court will increase from \$90,407 to \$99,448 in FY02.
- c Salaries for all other judges in the State of New Mexico will be distributed according to a set formula established in 1993 by Section 34-1-9 NMSA 1978.

### FISCAL IMPLICATIONS

The appropriation of \$1,379.0 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2002 shall revert to the general fund.

### **RELATIONSHIP**

In the H AFC substitute for HB2, Section 9, COMPENSATION APPROPRIATIONS, an amount is already indicated for the justices and judges totaling \$1,009.4 million. This provides for a seven percent (7%) increase for justices and judges on average, which is consistent with the same percentage increase proposed for almost all other state employees. For example, under HB2/a, a supreme court justice would receive a salary of \$96,735.

HB8 duplicates HB2/a in its proposed salary levels for the entire judiciary, including those of the justices and judges.

### **TECHNICAL ISSUES**

Effective date of the bill should be indicated as July 1, 2001.

### **OTHER SUBSTANTIVE ISSUES**

This bill does not appropriate funding to provide salary increases to hearing officers or special commissioners. The salaries of hearing officers and special commissioners are set by statute at eighty percent (80%) of a district judge's salary, and such salary increase would be effective on the same date as increases for justices and judges. Estimated cost for such increases would be \$100.0.

H AFC substitute for HB2 included a salary increase for hearing officers and special commissioners in its appropriation at a level consistent with statutory guidelines (Section 34-1-9 NMSA 1978).

It is suggested that House Bill 2 be the vehicle by which appropriations for compensation increases are utilized.

CMH/ar