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SENATE BILL 81

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

INTRODUCED BY

Diane H. Snyder

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.

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