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SENATE BILL 308

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Michael S. Sanchez

AN ACT

RELATING TO STATE AGENCIES; DIRECTING THE PERSONNEL BOARD TO
ADOPT RULES REQUIRING AGENCIES TO PROVIDE STAFF FOR ANSWERING
TELEPHONES.

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

Section 1. Section 10-9-1 NMSA 1978 (being Laws 1961,
Chapter 240, Section 1) is amended to read:

"10-9-1. SHORT TITLE.--~~[This act]~~ Chapter 10, Article 9
NMSA 1978 may be cited as the "Personnel Act"."

Section 2. Section 10-9-13 NMSA 1978 (being Laws 1961,
Chapter 240, Section 9, as amended) is amended to read:

"10-9-13. RULES--ADOPTION--COVERAGE.--Rules promulgated
by the board shall be effective when filed as required by law.
The rules shall provide, among other things, for:

A. a classification plan for all positions in the

1 service;

2 B. a pay plan for all positions in the service;

3 C. competitive entrance and promotion tests to
4 determine the qualifications, fitness and ability of applicants
5 to perform the duties of the position for which they apply.

6 Such rules shall also provide for the awarding to those
7 applicants having a passing grade of two preference points for
8 each year of residency in New Mexico not to exceed a total of
9 ten preference points;

10 D. exemption from competitive entrance tests for
11 those professional persons applying for classified positions in
12 the service who possess recognized registration or
13 certification by another state agency;

14 E. a period of probation of one year during which a
15 probationer may be discharged or demoted or returned to the
16 eligible list without benefit of hearing;

17 F. the establishment of employment lists for the
18 certification of the highest standing candidates to the
19 prospective employers and procedure to be followed in hiring
20 from the lists;

21 G. hours of work, holiday and leave;

22 H. dismissal or demotion procedure for employees in
23 the service, including presentation of written notice stating
24 specific reasons and time for the employees to reply thereto,
25 in writing, and appeals to the board;

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1 I. the rejection of applicants who fail to meet
2 reasonable requirements as to age, physical condition,
3 training, experience or moral conduct; [~~and~~]

4 J. employment of any apparently qualified applicant
5 for a period of not more than ninety days when an emergency
6 condition exists and there are no applicants available on an
7 appropriate employment list as provided in Subsection F of this
8 section. The applicant, if employed, shall be paid at the same
9 rate as a comparable position covered by the Personnel Act; and

10 K. an agency accountability policy that requires
11 each agency to staff customer service and other citizen
12 information lines sufficiently to ensure telephones are always
13 answered promptly and with courtesy during business hours."