

1 SENATE BILL 23

2 **49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 2009**

3 INTRODUCED BY

4 John C. Ryan

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10 AN ACT

11 RELATING TO PERSONNEL; LIMITING EXEMPT EMPLOYEES IN THE
12 EXECUTIVE BRANCH; REDUCING EXEMPT EMPLOYEES IN THE EXECUTIVE
13 BRANCH; DECLARING AN EMERGENCY.

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

16 Section 1. EXECUTIVE EXEMPT EMPLOYEE POSITIONS.--The
17 governor shall be limited to maintaining:

18 A. not more than two hundred employees exempt from
19 the Personnel Act pursuant to Subsection B, C, D, K, L or N of
20 Section 10-9-4 NMSA 1978, not including those employment
21 positions created in statute or those under the control of the
22 attorney general, state auditor, secretary of state, state
23 treasurer, public regulation commission, state land office and
24 office of the lieutenant governor; and

25 B. not more than twenty employees exempt from the

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1 Personnel Act pursuant to Subsection G of Section 10-9-4 NMSA
2 1978.

3 Section 2. REDUCTION IN EXEMPT POSITIONS UNDER THE
4 EXECUTIVE BRANCH--TEMPORARY POSITION.--

5 A. The governor shall reduce the number of exempt
6 employees under the executive branch pursuant to Section 1 of
7 this act before January 30, 2010.

8 B. The department of finance and administration
9 shall adjust the fiscal year 2010 and 2011 budgets of each
10 agency in proportion to the number and salaries of its exempt
11 employees. The remainder of the money appropriated for the
12 personal services and benefits categories in Section 4 of the
13 General Appropriation Act of 2009 from the reduction in exempt
14 employees shall revert to the general fund.

15 Section 3. EMERGENCY.--It is necessary for the public
16 peace, health and safety that this act take effect immediately.