

State of New Mexico  
Senate

Floor  
amendment

FIFTY-SIXTH LEGISLATURE  
FIRST SESSION

March 11, 2023

SENATE FLOOR AMENDMENT number \_\_\_\_\_ to SENATE BILL 124, as amended  
Amendment sponsored by Senator Daniel A. Ivey-Soto

1. Strike Senate Health and Public Affairs Committee Amendment  
*1. and senate Floor Amendment 1.*
2. On page 1, line 15, before the period, insert "; MAKING AN APPROPRIATION".
3. On page 8, line 6, strike "Notwithstanding" and insert in lieu thereof "Beginning July 1, 2023 and continuing through July 1, 2025, notwithstanding".
4. On page 8, line 9, after "member" insert "retired prior to December 31, 2022 and".
5. On page 8, line 18, after the semicolon, insert "provided that no pension shall be paid to a retired member who has returned to work prior to July 1, 2025, regardless of when the retired member returns to work;"
6. On page 8; between lines 22 and 23, insert the following new paragraphs:
  - "(4) retired member has reached the maximum permitted final percent for an amount of pension pursuant to the coverage plan from which that member retired;
  - (5) subsequent employer shall give raises of no less than five percent plus inflation to every employee in the same job classification as the retired member returning to work for every fiscal year in which a retired member is able to collect pension and salary;

State of New Mexico  
Senate

SF1/SB 124, aa

Page 2

(6) subsequent employer shall keep a record of vacancies by job classification for each fiscal year in which a retired member is employed and submit this record annually to the legislative finance committee. The record shall consist of:

(a) each position in which a retired member has been hired;

(b) the pension amount of the employed retired member; and

(c) the job classification and salary of the employed retired member;

(7) subsequent employer, from the start of the fiscal year, shall not fill more than fifty percent of the vacancies in any job classification with retired members;

(8) subsequent employer shall hire a person who has not retired from an affiliated public employer for every retired member that is hired;

(9) subsequent employer shall not hire a retired member unless the position has been prominently advertised for at least thirty days on both the subsequent employer's website home page or through one of the subsequent employer's regular hiring outlets;

(10) subsequent employer shall not hire a retired member unless it can show that its average hiring time from application to job offer is under thirty days;"

7. Renumber the succeeding paragraphs accordingly.

8. On page 9, line 8, strike "thirty-six consecutive or nonconsecutive" and insert in lieu thereof "twenty-four consecutive".

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State of New Mexico  
Senate

SF1/SB 124, aa

Page 3

9. On page 19, between lines 17 and 18, insert the following new section:

"SECTION 20. APPROPRIATION.--

A. Ninety-five million dollars (\$95,000,000) is appropriated from the general fund to the department of finance and administration for expenditure in fiscal year 2024 to provide an average two percent salary increase for state employees, higher education employees and public school employees who are eligible to receive a salary increase in the General Appropriation Act of 2023. The salary increase is in addition to salary increases provided in that act. Any unexpended or unencumbered balance remaining at the end of fiscal year 2024 shall revert to the general fund.

B. For those state employees whose salaries are referenced in or received as a result of nongeneral fund appropriations in the General Appropriation Act of 2023, the department of finance and administration shall transfer from the appropriate fund to the appropriate agency the amount required for the supplemental salary increase equivalent to the increase provided for in this section. Such amounts are appropriated for expenditure in fiscal year 2024 and any unexpended or unencumbered balances remaining at the end of fiscal year 2024 shall revert to the appropriate fund."

10. Renumber the succeeding sections accordingly.

  
Daniel A. Ivey Soto

Adopted \_\_\_\_\_  
(Chief Clerk)

Not Adopted \_\_\_\_\_  
(Chief Clerk)

Date \_\_\_\_\_

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