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HOUSE BILL 796

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Edward C. Sandoval

AN ACT

RELATING TO PUBLIC EMPLOYEES; INCREASING THE MINIMUM SALARY FOR STATE EMPLOYEES AND CERTAIN STATE EDUCATIONAL INSTITUTION EMPLOYEES; INDEXING THE MINIMUM SALARY TO THE RATE OF INFLATION; MAKING AN APPROPRIATION.

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

Section 1. Section 10-7-9 NMSA 1978 (being Laws 1974, Chapter 10, Section 2) is amended to read:

"10-7-9. MINIMUM SALARY RATE. --Every state employee and every person regularly employed at a state educational institution named in Article 12, Section 11 of the constitution of New Mexico [~~constitution~~], except student employees as defined by the [~~board of educational finance~~] commission on higher education, shall receive a salary at a rate equal to at least four hundred dollars (\$400) per month;

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1 provided that state employees whose positions are covered by
2 the Personnel Act shall receive a salary at a rate equal to at
3 least seven dollars fifty cents (\$7.50) per hour for fiscal
4 year 2002. After fiscal year 2002, every state employee and
5 state educational institution employee described in this
6 section shall receive a salary at a rate equal to at least:

7 A. eight dollars (\$8.00) per hour for fiscal year
8 2003;

9 B. nine dollars (\$9.00) per hour for fiscal year
10 2004; and

11 C. a rate per hour adjusted for inflation and
12 determined annually by the state personnel office for each
13 fiscal year thereafter. The adjusted rate per hour for any
14 fiscal year shall be determined by multiplying nine dollars
15 (\$9.00) by a fraction, the numerator of which is the consumer
16 price index ending during the calendar year prior to the
17 beginning of the fiscal year and the denominator of which is
18 the consumer price index ending in calendar year 2003. The
19 result of the multiplication shall be rounded down to the
20 nearest tenth of a dollar, except that if the result would be
21 an amount less than the rate for the preceding fiscal year,
22 then no adjustment shall be made for that fiscal year. For
23 purposes of this subsection, "consumer price index" means the
24 average of the consumer price index for all urban consumers
25 published by the United States department of labor for the

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1 four quarterly periods ending December 31 of the calendar
2 year. The state personnel office shall publish annually the
3 rate determined by the calculation and distribute it to state
4 agencies and state educational institutions subject to the
5 provisions of this section. "

6 Section 2. APPROPRIATION. -- One million two hundred
7 fifty-one thousand four hundred sixty dollars (\$1,251,460) is
8 appropriated from the general fund to the department of
9 finance and administration for expenditure in fiscal year 2002
10 for salary increases necessary to comply with the provisions
11 of this act. Salary increases required pursuant to this act
12 shall be effective the first full pay period after July 1,
13 2001. Any unexpended or unencumbered balance remaining at the
14 end of fiscal year 2002 shall revert to the general fund.

15 Section 3. EFFECTIVE DATE. -- The effective date of the
16 provisions of this act is July 1, 2001.