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SENATE BILL 251

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

H. Diane Snyder

AN ACT

RELATING TO JUDGES; PROVIDING FOR SALARIES OF CHIEF JUDGES;  
AMENDING A SECTION OF THE NMSA 1978; 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) 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 of seventy-seven thousand two hundred fifty  
dollars (\$77,250). 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

underscored material = new  
[bracketed material] = delete

1 annual salary that is ninety-five percent of the annual salary  
2 of the chief justice of the supreme court;

3 (2) a district court shall receive an annual  
4 salary that is ninety-five percent of the annual salary of the  
5 chief judge of the court of appeals;

6 (3) a metropolitan court shall receive an  
7 annual salary that is ninety percent of the annual salary of  
8 the chief judge of a district court; and

9 (4) a magistrate district consisting of three  
10 or more magistrates shall receive an annual salary that is  
11 seventy-five percent of the annual salary of the chief judge of  
12 a metropolitan court.

13 C. 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 percent of the annual salary of  
25 a district court judge;

underscored material = new  
[bracketed material] = delete

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 D. For [~~the eighty-third~~] fiscal year 1995 and all  
11 subsequent fiscal years, the annual salary for justices of the  
12 supreme court, judges of the court of appeals, district court  
13 judges, metropolitan court judges and magistrates shall be  
14 established by the legislature in an appropriations act.

15 E. 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. --Thirty-two thousand four  
23 hundred dollars (\$32,400) is appropriated from the general fund  
24 to the administrative office of the courts for expenditure in  
25 fiscal year 2004 to provide for the salary differential of

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1 chief judges. Any unexpended or unencumbered balance remaining  
2 at the end of fiscal year 2004 shall revert to the general  
3 fund.

4 Section 3. EFFECTIVE DATE. --The effective date of the  
5 provisions of this act is July 1, 2003.

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