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## BEFORE THE NEW MEXICO STATE PERSONNEL BOARD

IN RE: RULEMAKING PROCEEDING FOR AMENDMENTS TO 1.7.4 NMAC – PAY

### **CONCISE EXPLANATORY STATEMENT**

The New Mexico State Personnel Board (the "Board") hereby amends 1.7.4 NMAC – Pay. The rules are currently codified in Title 1, Chapter 7, Part 4 of the New Mexico Administrative Code.

#### (1) Statutory Authority for Rule Promulgation:

Under the Personnel Act, "The [personnel] director shall...recommend to the board rules [he] considers necessary or desirable to effectuate the Personnel Act," and "the board shall...promulgate regulations to effectuate the Personnel Act[.]" NMSA 1978, §§ 10-9-10(A), 12(E).

#### (2) Date of Notice in New Mexico Register:

The Notice of Rulemaking was published in Volume XXXVI, Issue: 9 of the New Mexico Register on May 6, 2025.

#### (3) Date of Meeting Approving Rule:

June 13, 2025

#### (4) Date of Adoption of Rule:

July 11, 2025

(5) Date of Publication of Adopted Rule in New Mexico Register:

The adopted Rule will be published in Volume XXXVI, Issue: 14 of the New Mexico Register on July 29, 2025.

(6) Effective Date of Rule:

July 29, 2025 (1.7.13.10 NMAC “The Board shall determine the effective date of Rules....”).

(7) Reasons for Adopting Rule:

**Amendments to 1.7.4 – Pay**

The change to 1.7.4.7 Definitions, removes definitions for contributor proficiency zones and shift work schedule.

The change to 1.7.4.9 Assignment of Pay Bands, changes the responsibility for appointing job evaluation committee members and providing job evaluation training to the State Personnel Office and eliminates the process for converting job evaluation points to the appropriate pay band.

The change to 1.7.4.12 Administration of the Salary Schedules, establishes the compa-ratio at which an entry salary must receive approval from the State Personnel Office director, caps in pay band adjustments for demonstrated performance, or skill and competency development at 10% per fiscal year, changes the requirement for State Personnel Office director approval of a salary increase upon promotion from 15% to 10%, removes pay allowances for performing first line supervisor duties, allows for salary decreases for employee transfers, and requires State Personnel Office director approval for temporary salary increases.

(8) Reasons for Changes from Published Proposed Rules:

The changes from the published proposed rules and the adopted rules include changing the word “appointed” to “hired” in first sentence of 1.7.4.12(A) NMAC for consistency.

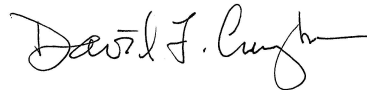
(9) Reasons for Not Accepting Substantive Arguments from Public Comment:

There were no public comments related to the amendment of 1.7.4 NMAC.

The amended Rule, as authorized by the Board during its regular meeting held June 13, 2025, is hereby adopted as of the date of this Concise Explanatory Statement.

**IT IS SO ORDERED,**

ON BEHALF OF THE NEW MEXICO  
STATE PERSONNEL BOARD



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DAVID CUNNINGHAM - CHAIR

July 11, 2025  
DATE