

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR
HOUSE BILL 92

**44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,
2000**

AN ACT

RELATING TO JUDGES; PROVIDING FOR AN ADDITIONAL MAGISTRATE
JUDGE IN THE DONA ANA MAGISTRATE DISTRICT; PROVIDING FOR
APPOINTMENT AND ELECTION; PROVIDING ADDITIONAL RESOURCES FOR
DISTRICT ATTORNEYS AND PUBLIC DEFENDERS; AMENDING A SECTION
OF THE NMSA 1978; MAKING APPROPRIATIONS.

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

Section 1. Section 35-1-10 NMSA 1978 (being Laws 1968,
Chapter 62, Section 12, as amended) is amended to read:

"35-1-10. MAGISTRATE COURT--DONA ANA DISTRICT.--There
shall be [~~four~~] five magistrates in Dona Ana magistrate
district. Divisions 1, 2, 3, [~~and~~] 4 and 5 shall operate as
a single court in Las Cruces and shall rotate riding circuit
to Anthony and Hatch on a regularly scheduled basis."

Section 2. TEMPORARY PROVISION--DONA ANA MAGISTRATE--
APPOINTMENT AND ELECTION.--The office of magistrate in Dona

1 Ana magistrate division 5 shall be filled by appointment by
2 the governor. The appointed magistrate shall begin serving
3 on July 1, 2000 and shall serve until succeeded by a
4 magistrate elected at the general election in 2000. The
5 elected magistrate's term of office shall begin on January 1,
6 2001.

7 Section 3. APPROPRIATIONS.

8 A. The following amounts are appropriated from the
9 general fund to the following agencies for expenditure in
10 fiscal year 2001 for costs associated with an additional
11 magistrate judge in the Dona Ana magistrate district:

12 (1) one hundred thirty thousand dollars
13 (\$130,000) to the administrative office of the courts for
14 salary and benefits for an additional magistrate judge and
15 clerk in Dona Ana magistrate division 5;

16 (2) eighty thousand dollars (\$80,000) to the
17 third judicial district attorney to pay costs associated with
18 the increased workload in the Dona Ana magistrate court; and

19 (3) one hundred two thousand dollars
20 (\$102,000) to the public defender department to pay costs
21 associated with the increased workload in the Dona Ana
22 magistrate court.

23 B. Any unexpended or unencumbered balance
24 remaining from any of the appropriations in this section at
25 the end of fiscal year 2001 shall revert to the general fund.

Section 4. EFFECTIVE DATE.--The effective date of the
provisions of this act is July 1, 2000.

underscored material = new
~~[bracketed material]~~ = delete

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25