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HOUSE BILL 94

42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1996

INTRODUCED BY

DELORES C. WRIGHT

AN ACT

RELATING TO JUDGES; PROVIDING FOR TWO ADDITIONAL MAGISTRATE
JUDGES IN DONA ANA MAGISTRATE DISTRICT; PROVIDING FOR
APPOINTMENT AND ELECTION; 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 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 ~~[three]~~ five magistrates in Dona Ana magistrate
district, with divisions 1, 2 and 3 operating as a single court
in Las Cruces. The magistrates in divisions 1, 2 and 3 shall
rotate riding circuit to ~~[Anthony and]~~ Hatch on a regularly
scheduled basis. The magistrates in divisions 4 and 5 shall
operate as a single court in Anthony."

Underscored material = new
[bracketed material] = delete

1 Section 2. TEMPORARY PROVISION-- APPOINTMENT-- DIVISIONS 4
2 AND 5-- ELECTION.--

3 A. The office of magistrate in Dona Ana magistrate
4 divisions 4 and 5 shall be filled by appointment by the
5 governor. The appointed magistrates shall begin serving January
6 1, 1997 and shall serve until succeeded by magistrates elected
7 pursuant to Subsection B of this section.

8 B. The first full term of the office of magistrate
9 in Dona Ana magistrate divisions 4 and 5 shall be filled by
10 election at the general election in 1998, and those terms of
11 office shall begin on January 1, 1999.

12 Section 3. APPROPRIATION.-- Fifty-eight thousand nine
13 hundred eleven dollars (\$58,911) is appropriated from the
14 general fund to the Dona Ana magistrate district for expenditure
15 in fiscal year 1997 for two additional full-time equivalent
16 positions. Any unexpended or unencumbered balance remaining at
17 the end of fiscal year 1997 shall revert to the general fund.

18 Section 4. EFFECTIVE DATE.-- The effective date of the
19 provisions of this act is January 1, 1997.