

AN ACT

RELATING TO COURTS; CREATING AN ADDITIONAL JUDGESHIP IN THE BERNALILLO COUNTY METROPOLITAN COURT; CREATING ADDITIONAL JUDGESHIPS IN THE DONA ANA AND SAN JUAN MAGISTRATE COURTS; PROVIDING FOR ADDITIONAL ASSISTANT DISTRICT ATTORNEYS AND PUBLIC DEFENDERS; AMENDING SECTIONS OF THE NMSA 1978; MAKING APPROPRIATIONS; DECLARING AN EMERGENCY.

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

Section 1. Section 34-8A-4.1 NMSA 1978 (being Laws 1981, Chapter 318, Section 2, as amended) is amended to read:

"34-8A-4.1. METROPOLITAN COURT JUDGES--TERMS OF OFFICE--ELECTION.--

A. The elected term of office for each judge of the metropolitan court is four years.

B. Any person appointed to fill a vacancy on the metropolitan court after January 1, 1989 shall serve until the next general election. That person's successor shall be chosen at that general election and shall hold the office until the general election four years later.

C. Judges of the Bernalillo county metropolitan court for divisions thirteen, fourteen and fifteen shall be appointed and shall serve until the 1992 general election. Their successors shall be chosen at that general election and shall hold office until the general election four years

later. Additional judges shall be appointed and elected pursuant to Article 6 of the constitution of New Mexico.

D. A judge of the Bernalillo county metropolitan court for division sixteen shall be appointed and shall serve until the 2000 general election. His successor shall be chosen at that general election and shall hold office until the general election four years later. "

Section 2. 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 magistrates in Dona Ana magistrate district. Divisions 1, 2, 3 and 4 shall operate as a single court in Las Cruces and shall rotate riding circuit to Anthony and Hatch on a regularly scheduled basis. "

Section 3. Section 35-1-27 NMSA 1978 (being Laws 1968, Chapter 62, Section 29, as amended) is amended to read:

"35-1-27. MAGISTRATE COURT--SAN JUAN DISTRICT. --There shall be four magistrates in San Juan magistrate district, divisions 1 and 4 operating as a single court in Aztec and divisions 2 and 3 operating as a single court in Farmington. "

Section 4. TEMPORARY PROVISION--MAGISTRATE COURTS-- APPOINTMENT--ELECTION. --The additional magistrate judgeships provided for in this act shall be filled by appointment by the governor. The appointed magistrates shall begin serving on July 1, 1999 and shall serve until succeeded by a

magistrate elected at the general election in 2000. The elected magistrate's term of office shall begin on January 1, 2001.

Section 5. APPROPRIATIONS. --

A. The following amounts are appropriated from the general fund to the following entities for expenditure in fiscal year 2000 for the following purposes:

(1) two hundred thirty-five thousand dollars (\$235,000) to the Bernalillo county metropolitan court to provide salaries and benefits and furniture, supplies and office equipment for an additional judgeship and support staff;

(2) sixty-six thousand seven hundred dollars (\$66,700) to the metro unit of the office of the district attorney for the second judicial district to provide salaries and benefits for an assistant district attorney and support staff; and

(3) one hundred six thousand five hundred dollars (\$106,500) to the public defender department to provide salaries and benefits and furniture, supplies and office equipment for an additional public defender and support staff.

B. The following amounts are appropriated from the general fund to the following entities for expenditure in fiscal year 2000 for the following purposes:

(1) eighty-one thousand five hundred dollars (\$81,500) to the administrative office of the courts to provide salaries and benefits and furniture, supplies and office equipment for an additional judgeship and support staff in the Dona Ana magistrate district;

(2) fifteen thousand dollars (\$15,000) to the office of the district attorney for the third judicial district to contract for legal services; and

(3) eighty-three thousand six hundred dollars (\$83,600) to the public defender department to provide salaries and benefits and furniture, supplies and office equipment for an additional public defender and support staff.

C. The following amounts are appropriated from the general fund to the following entities for expenditure in fiscal year 2000 for the following purposes:

(1) eighty-one thousand five hundred dollars (\$81,500) to the administrative office of the courts to provide salaries and benefits and furniture, supplies and office equipment for an additional judgeship and support staff in the San Juan magistrate district;

(2) sixty-eight thousand nine hundred dollars (\$68,900) to the office of the district attorney for the eleventh judicial district, district attorney division 1, to provide a salary and benefits for an assistant district

attorney; and

(3) eighty-three thousand six hundred dollars (\$83,600) to the public defender department to provide salaries and benefits and furniture, supplies and office equipment for an additional public defender and support staff.

D. Any unexpended or unencumbered balance remaining at the end of fiscal year 2000 shall revert to the general fund.

Section 6. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately. _____