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SENATE BILL 37

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 1999

INTRODUCED BY

Fernando R. Macias

AN ACT

RELATING TO COURTS; CREATING AN ADDITIONAL JUDGESHIP IN THE DONA ANA MAGISTRATE COURT; PROVIDING FOR ADDITIONAL ASSISTANT DISTRICT ATTORNEYS AND PUBLIC DEFENDERS; AMENDING A SECTION OF THE NMSA 1978; MAKING APPROPRIATIONS; DECLARING AN EMERGENCY.

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

Section 2. TEMPORARY PROVISION--MAGISTRATE COURT--APPOINTMENT--ELECTION.--The additional magistrate judgeship in the Dona Ana magistrate district provided for in this act

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1 shall be filled by appointment by the governor. The appointed  
2 magistrate shall begin serving on July 1, 1999 and shall serve  
3 until succeeded by a magistrate elected at the general  
4 election in 2000. The elected magistrate's term of office  
5 shall begin on January 1, 2001.

6 Section 3. APPROPRIATIONS.--

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

10 (1) eighty-one thousand five hundred dollars  
11 (\$81,500) to the administrative office of the courts to  
12 provide salaries and benefits and furniture, supplies and  
13 office equipment for an additional judgeship and support staff  
14 in the Dona Ana magistrate district;

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

18 (3) eighty-three thousand six hundred dollars  
19 (\$83,600) to the public defender department to provide  
20 salaries and benefits and furniture, supplies and office  
21 equipment for an additional public defender and support staff.

22 B. Any unexpended or unencumbered balance  
23 remaining at the end of fiscal year 2000 shall revert to the  
24 general fund.

25 Section 4. EMERGENCY.--It is necessary for the public

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peace, health and safety that this act take effect  
immediately.