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SENATE BILL 71

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

INTRODUCED BY
Carroll H. Leavell

FOR THE COURTS, CORRECTIONS AND CRIMINAL JUSTICE COMMITTEE

AN ACT

RELATING TO COURTS; AUTHORIZING COMPENSATION FOR A RETIRED
MAGISTRATE JUDGE WHO SERVES AS A MAGISTRATE JUDGE PRO
TEMPORE; 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 35-2-6 NMSA 1978 (being Laws 1997,
Chapter 114, Section 1) is amended to read:

"35-2-6. APPOINTMENT AS SPECIAL MASTER, ARBITRATOR OR
MAGISTRATE JUDGE PRO TEMPORE.--

A. A chief district court judge may appoint a
retired magistrate judge, with the retired judge's consent,
to serve as a magistrate judge pro tempore, subject to the
[monies] money available to the judge pro tempore fund.

B. The retired magistrate judge shall be
[compensated for his services as provided for nonsalaried

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~~public officers in the Per Diem and Mileage Act]:~~

(1) compensated for his services in an amount equal to the hourly salary paid to magistrate judges; and

(2) reimbursed for his expenses in accordance with the provisions of the Per Diem and Mileage Act that apply to nonsalaried public officers."

Section 2. APPROPRIATION.--Twenty thousand dollars (\$20,000) is appropriated from the general fund to the administrative office of the courts for expenditure in fiscal year 2001 for the purpose of compensating retired magistrate judges who serve as magistrate judges pro tempore. Any unexpended or unencumbered balance remaining at the end of fiscal year 2001 shall revert to the general fund.

Section 3. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2000.