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SENATE BILL 170

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Patrick H. Lyons

AN ACT

RELATING TO MAGISTRATE COURTS; MAKING THE SAN JON CIRCUIT COURT A FULL-TIME MAGISTRATE COURT; MAKING AN APPROPRIATION.

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

Section 1. Section 35-1-23 NMSA 1978 (being Laws 1968, Chapter 62, Section 25, as amended) is amended to read:

"35-1-23. MAGISTRATE COURT--QUAY DISTRICT.--There shall be ~~[one magistrate]~~ two magistrates in Quay magistrate district, ~~[whose principal court is in]~~ division 1 in Tucumcari ~~[The magistrate shall ride circuit to]~~ and division 2 in San Jon ~~[on a regularly scheduled basis]."~~

Section 2. TEMPORARY PROVISION--APPOINTMENT--ELECTION.--

A. The office of magistrate in Quay magistrate district division 2 shall be filled by appointment by the governor to begin serving on July 1, 2001. The appointed

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 magistrate shall serve until his successor has been elected
2 and qualified.

3 B. The first full term of office of the magistrate
4 in Quay magistrate district division 2 shall be filled by
5 election at the general election held in 2002, and that term
6 of office shall begin on January 1, 2003.

7 Section 3. APPROPRIATION. -- One hundred thirty-eight
8 thousand dollars (\$138,000) is appropriated from the general
9 fund to the administrative office of the courts for
10 expenditure in fiscal year 2002 to pay salaries and benefits
11 of the Quay magistrate district division 2 magistrate and
12 staff. Any unexpended or unencumbered balance remaining at
13 the end of fiscal year 2002 shall revert to the general fund.

14 Section 4. EFFECTIVE DATE. -- The effective date of the
15 provisions of this act is July 1, 2001.