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SENATE BILL 643

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

INTRODUCED BY

H. Diane Snyder

AN ACT

RELATING TO COURTS; INCREASING THE NUMBER OF BERNALILLO COUNTY METROPOLITAN COURT JUDGES; PROVIDING FOR TWO JUDGES TO HANDLE DOMESTIC VIOLENCE CASES; MAKING APPROPRIATIONS.

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

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1 until the general election four years later.

2 [C. ~~Judges of the Bernalillo county metropolitan~~
3 ~~court for divisions thirteen, fourteen and fifteen shall be~~
4 ~~appointed and shall serve until the 1992 general election.~~
5 ~~Their successors shall be chosen at that general election and~~
6 ~~shall hold office until the general election four years later.~~
7 ~~Additional judges shall be appointed and elected pursuant to~~
8 ~~Article 6 of the constitution of New Mexico.~~

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

14 Section 2. Section 34-8A-8 NMSA 1978 (being Laws 1979,
15 Chapter 346, Section 8, as amended) is amended to read:

16 "34-8A-8. METROPOLITAN COURT--BERNALILLO DISTRICT. --

17 A. The name of the metropolitan court in the
18 Bernalillo metropolitan district shall be the "Bernalillo
19 county metropolitan court".

20 B. The metropolitan court is an agency of the
21 judicial department of state government. Personnel of the
22 metropolitan court are subject to all laws and regulations
23 applicable to state officers and agencies and state officers
24 and employees, except where otherwise specifically provided by
25 law.

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C. There shall be eighteen judges of the Bernalillo county metropolitan court.
D. The chief judge shall assign two judges to hear domestic violence cases."

Section 3. TEMPORARY PROVISION. --The additional metropolitan judgeships provided for in this act shall be filled by appointment by the governor pursuant to Article 6 of the constitution of New Mexico for a term beginning July 1, 2001.

Section 4. APPROPRIATIONS. --

A. The following amounts are appropriated from the general fund to the following court agencies for expenditure in fiscal year 2002 for the following purposes:

(1) two hundred fifty-eight thousand two hundred dollars (\$258,200) to the Bernalillo county metropolitan court to provide salaries and benefits and furniture, supplies and equipment for a judge and support staff in division seventeen;

(2) two hundred fifty-eight thousand two hundred dollars (\$258,200) to the Bernalillo county metropolitan court to provide salaries and benefits and furniture, supplies and equipment for a judge and support staff in division eighteen;

(3) one hundred fifty-six thousand five hundred dollars (\$156,500) to the second judicial district

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1 attorney to provide salaries and benefits and furniture,
2 supplies and equipment for additional staff due to increased
3 metropolitan court workload; and

4 (4) three hundred eight thousand eight
5 hundred dollars (\$308,800) to the public defender department
6 to provide salaries and benefits and furniture, supplies and
7 equipment for additional public defender attorneys and support
8 staff due to increased metropolitan court workload.

9 B. Any unexpended or unencumbered balance
10 remaining at the end of fiscal year 2002 shall revert to the
11 general fund.