

AN ACT

RELATING TO COURTS; CREATING ADDITIONAL JUDGESHIPS IN THE THIRD, FIFTH, NINTH, ELEVENTH AND THIRTEENTH JUDICIAL DISTRICTS AND IN THE BERNALILLO COUNTY METROPOLITAN COURT; MAKING APPROPRIATIONS.

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

Section 1. Section 34-6-6 NMSA 1978 (being Laws 1968, Chapter 69, Section 9, as amended) is amended to read:

"34-6-6. JUDGES--THIRD JUDICIAL DISTRICT.--There shall be eight district judges in the third judicial district."

Section 2. Section 34-6-8 NMSA 1978 (being Laws 1968, Chapter 69, Section 11, as amended by Laws 1994, Chapter 65, Section 1 and also by Laws 1994, Chapter 77, Section 1) is amended to read:

"34-6-8. JUDGES--FIFTH JUDICIAL DISTRICT.--There shall be ten district judges in the fifth judicial district."

Section 3. Section 34-6-12 NMSA 1978 (being Laws 1968, Chapter 69, Section 15, as amended) is amended to read:

"34-6-12. JUDGES--NINTH JUDICIAL DISTRICT.--There shall be five district judges in the ninth judicial district. The judge of division three shall reside in Curry or Roosevelt county and maintain a principal office in Roosevelt county. As used in this section, "maintain a principal office" means holding court or being available to hold court no less than

one hundred forty days during each calendar year."

Section 4. Section 34-6-14 NMSA 1978 (being Laws 1968, Chapter 69, Section 17, as amended) is amended to read:

"34-6-14. JUDGES--ELEVENTH JUDICIAL DISTRICT.--There shall be eight district judges in the eleventh judicial district. The judges of divisions one, three, four, six and eight shall reside and maintain their principal offices in San Juan county. The judges of divisions two, five and seven shall reside and maintain their principal offices in McKinley county."

Section 5. Section 34-6-16 NMSA 1978 (being Laws 1971, Chapter 52, Section 3, as amended) is amended to read:

"34-6-16. JUDGES--THIRTEENTH JUDICIAL DISTRICT.--There shall be seven district judges in the thirteenth judicial district. The judges of divisions one, three and six shall reside and maintain their principal offices in Valencia county. The judges of divisions two, five and seven shall reside and maintain their principal offices in Sandoval county. The judge of division four shall reside and maintain the judge's principal offices in Cibola county."

Section 6. Section 34-8A-8 NMSA 1978 (being Laws 1979, Chapter 346, Section 8, as amended) is amended to read:

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

A. The name of the metropolitan court in the Bernalillo metropolitan district shall be the "Bernalillo

county metropolitan court".

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

C. There shall be nineteen judges of the Bernalillo county metropolitan court."

Section 7. TEMPORARY PROVISION--DISTRICT AND METROPOLITAN JUDGES--APPOINTMENTS.--The additional district and metropolitan judgeships provided for in this act shall be filled by appointment by the governor pursuant to the provisions of Article 6 of the constitution of New Mexico.

Section 8. APPROPRIATIONS.--

A. The following amounts are appropriated from the general fund to the following agencies for expenditure in fiscal year 2007 for the following purposes:

(1) three hundred thirteen thousand five hundred sixty-six dollars (\$313,566) to the third judicial district for salaries and benefits and furniture, supplies and equipment for one additional district judge and support staff;

(2) six hundred twenty-seven thousand one hundred thirty-two dollars (\$627,132) to the fifth judicial district for salaries and benefits and furniture, supplies and

equipment for two additional district judges and support staff;

(3) three hundred thirteen thousand five hundred sixty-six dollars (\$313,566) to the ninth judicial district for salaries and benefits and furniture, supplies and equipment for one additional district judge and support staff;

(4) three hundred thirteen thousand five hundred sixty-six dollars (\$313,566) to the eleventh judicial district for salaries and benefits and furniture, supplies and equipment for one additional district judge and support staff;

(5) three hundred thirteen thousand five hundred sixty-six dollars (\$313,566) to the thirteenth judicial district for salaries and benefits and furniture, supplies and equipment for one additional district judge and support staff; and

(6) two hundred ninety-one thousand eighty dollars (\$291,080) to the Bernalillo county metropolitan court for salaries and benefits and furniture, supplies and equipment for one additional judge and support staff.

B. Any unexpended or unencumbered balance remaining at the end of fiscal year 2007 shall revert to the general fund.

Section 9. APPROPRIATIONS.--

A. The following amounts are appropriated from the general fund to the following entities for expenditure in

fiscal year 2007 for the following purposes:

(1) one hundred twenty-three thousand dollars (\$123,000) to the third judicial district attorney to provide salaries and benefits and furniture, supplies and equipment for additional staff due to an increased district court workload;

(2) one hundred twelve thousand five hundred dollars (\$112,500) to the public defender department to provide salaries and benefits and furniture, supplies and equipment for additional staff due to an increased workload in the third judicial district and for contractual services in that district;

(3) two hundred seventy-eight thousand dollars (\$278,000) to the fifth judicial district attorney to provide salaries and benefits and furniture, supplies and equipment for additional staff due to an increased district court workload;

(4) two hundred twenty-five thousand dollars (\$225,000) to the public defender department to provide salaries and benefits and furniture, supplies and equipment for additional staff due to an increased workload in the fifth judicial district and for contractual services in that district;

(5) one hundred twenty-three thousand dollars (\$123,000) to the ninth judicial district attorney to

provide salaries and benefits and furniture, supplies and equipment for additional staff due to an increased district court workload;

(6) one hundred twelve thousand five hundred dollars (\$112,500) to the public defender department to provide salaries and benefits and furniture, supplies and equipment for additional staff due to an increased workload in the ninth judicial district and for contractual services in that district;

(7) one hundred thirty-nine thousand dollars (\$139,000) to the eleventh judicial district attorney to provide salaries and benefits and furniture, supplies and equipment for additional staff due to an increased district court workload;

(8) one hundred twelve thousand five hundred dollars (\$112,500) to the public defender department to provide salaries and benefits and furniture, supplies and equipment for additional staff due to an increased workload in the eleventh judicial district and for contractual services in that district;

(9) eighty-one thousand one hundred dollars (\$81,100) to the thirteenth judicial district attorney to provide salaries and benefits and furniture, supplies and equipment for additional staff due to an increased district court workload;

(10) seventy-five thousand dollars (\$75,000) to the public defender department for contractual services due to an increased workload in the thirteenth judicial district;

(11) one hundred twenty-three thousand dollars (\$123,000) to the second judicial district attorney to provide salaries and benefits and furniture, supplies and equipment for additional staff due to an increased workload in the Bernalillo county metropolitan court; and

(12) one hundred twelve thousand five hundred dollars (\$112,500) to the public defender department to provide salaries and benefits and furniture, supplies and equipment for additional staff due to an increased workload in the Bernalillo county metropolitan court and for contractual services to address the increased workload in that court.

B. Any unexpended or unencumbered balance remaining at the end of fiscal year 2007 shall revert to the general fund.

Section 10. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2006. \_\_\_\_\_