HOUSE BILL 62

43RD LEGISLATURE **- STATE OF NEW MEXICO -** SECOND SESSION, 1998

INTRODUCED BY

DELORES C. WRIGHT

AN ACT

RELATING TO JUDGES; PROVIDING FOR TWO ADDITIONAL MAGISTRATE JUDGES IN DONA ANA MAGISTRATE DISTRICT; PROVIDING FOR APPOINTMENT AND ELECTION; 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 35-1-10 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] five magistrates in Dona Ana magistrate district with divisions 1, 2 and 3 operating as a single court in Las Cruces. The magistrates in divisions 1, 2 and 3 shall rotate riding circuit to [Anthony and] Hatch on a regularly scheduled basis. The magistrates in divisions 4 and 5 shall operate as a single court in Anthony."

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1   Section 2.   TEMPORARY PROVISION--APPOINTMENT--DIVISIONS 4

2   AND 5--ELECTION.--

3   A.   The office of magistrate in Dona Ana magistrate

4   divisions 4 and 5 shall be filled by appointment by the

5   governor.   The appointed magistrates shall begin serving July

6   1, 1998 and shall serve until succeeded by magistrates elected

7   pursuant to Subsection B of this section.

8   B.   The first full term of the office of magistrate

9   in Dona Ana magistrate divisions 4 and 5 shall be filled by

10   election at the general election in 1998, and those terms of

11   office shall begin on January 1, 1999.

12   Section 3.   APPROPRIATION.--One hundred fifty thousand

13   dollars ($150,000) is appropriated from the general fund to

14   the Dona Ana magistrate district for expenditure in fiscal

15   year 1999 to pay salaries and benefits of the Dona Ana

16   magistrate district divisions 4 and 5 and to pay the costs of

17   rent, furnishings, supplies and equipment to establish the new

18   divisions.   Any unexpended or unencumbered balance remaining

19   at the end of fiscal year 1999 shall revert to the general

20   fund.

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