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HOUSE BILL 250

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

E. G. Smokey Blanton

AN ACT

RELATING TO COURTS; PROVIDING FOR ADDITIONAL MAGISTRATES IN DONA ANA COUNTY; 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, 4 and 5 operating as a single court in Las Cruces. The magistrates shall rotate riding circuit to Anthony and Hatch on a regularly scheduled basis."

Section 2. TEMPORARY PROVISION--DONA ANA COUNTY-- APPOINTMENT AND ELECTION-- DIVISIONS 4 AND 5. --

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A. The office of magistrate in Dona Ana magistrate divisions 4 and 5 shall be filled by appointment by the governor. The appointed magistrates shall begin serving on July 1, 1999 and shall serve until succeeded by magistrates elected pursuant to Subsection B of this section.

B. The first full term of the office of magistrate in Dona Ana magistrate divisions 4 and 5 shall be filled by election at the general election in 2000, and those terms of office shall begin on January 1, 2001.

Section 3. APPROPRIATION. -- One hundred fifty thousand dollars (\$150,000) is appropriated from the general fund to the administrative office of the courts for expenditure in fiscal year 2000 for salaries, benefits, travel, furniture, supplies and office costs for two new magistrate judges in Dona Ana magistrate district divisions 4 and 5. Any unexpended or unencumbered balance remaining at the end of fiscal year 2000 shall revert to the general fund.

Section 4. EFFECTIVE DATE. -- The effective date of the provisions of this act is July 1, 1999.