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SENATE BILL 106

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

INTRODUCED BY

Leonard Lee Rawson

AN ACT

RELATING TO COURTS; PROVIDING FOR ADDITIONAL MAGISTRATES IN DONA ANA AND SIERRA COUNTIES; PROVIDING FOR APPOINTMENT AND ELECTION; AMENDING SECTIONS OF THE NMSA 1978; MAKING APPROPRIATIONS.

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. Section 35-1-30 NMSA 1978 (being Laws 1968,

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 Chapter 62, Section 32) is amended to read:

2 "35-1-30. MAGISTRATE COURT--SIERRA DISTRICT.--There
3 shall be [~~one magistrate~~] two magistrates in Sierra magistrate
4 district, with [~~a~~] divisions 1 and 2 operating as a single
5 court in Truth or Consequences."

6 Section 3. TEMPORARY PROVISION--DONA ANA COUNTY--
7 APPOINTMENT AND ELECTION--DIVISIONS 4 AND 5.--

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

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

17 Section 4. TEMPORARY PROVISION--SIERRA COUNTY--
18 APPOINTMENT AND ELECTION--DIVISION 2.--

19 A. The office of magistrate in Sierra magistrate
20 division 2 shall be filled by appointment by the governor.
21 The appointed magistrate shall begin serving on July 1, 1999
22 and shall serve until succeeded by a magistrate elected
23 pursuant to Subsection B of this section.

24 B. The first full term of the office of magistrate
25 in Sierra magistrate division 2 shall be filled by election at

underscored material = new
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1 the general election in 2000, and that term of office shall
2 begin on January 1, 2001.

3 Section 5. APPROPRIATIONS. --

4 A. The following amounts are appropriated from the
5 general fund to the administrative office of the courts for
6 expenditure in fiscal year 2000 for the following purposes:

7 (1) one hundred fifty thousand dollars
8 (\$150,000) for salaries, benefits, travel, furniture, supplies
9 and office costs for two new magistrate judges in Dona Ana
10 magistrate district divisions 4 and 5; and

11 (2) seventy-five thousand dollars (\$75,000)
12 for salaries, benefits, travel, furniture, supplies and office
13 costs for one new magistrate judge in Sierra magistrate
14 district division 2.

15 B. Any unexpended or unencumbered balance
16 remaining at the end of fiscal year 2000 shall revert to the
17 general fund.

18 Section 6. EFFECTIVE DATE. -- The effective date of the
19 provisions of this act is July 1, 1999.

1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999
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6 January 25, 1999
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8 Mr. President:
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10 Your JUDICIARY COMMITTEE, to whom has been referred
11

12 SENATE BILL 106
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14 has had it under consideration and reports same WITHOUT
15 RECOMMENDATION, and thence referred to the FINANCE COMMITTEE.
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18 Respectfully submitted,
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22 _____
23 Michael S. Sanchez, Chairman
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FORTY-SECOND LEGISLATURE
SECOND SESSION

KEYBOARD(TYPE SLUGS)

Page 5

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 6 For 0 Against

Yes: 6

No: None

Excused: Aragon, Tsosie

Absent: None

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