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SENATE BILL 148

47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

INTRODUCED BY

Diane H. Snyder

FOR THE COURTS, CORRECTIONS AND JUSTICE COMMITTEE

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
[seven] 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

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1 ~~[eight]~~ ten district judges in the fifth judicial district."

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

4 "34-6-12. JUDGES--NINTH JUDICIAL DISTRICT.--There shall
5 be ~~[four]~~ five district judges in the ninth judicial district.
6 The judge of division three shall reside in Curry or Roosevelt
7 county and maintain a principal office in Roosevelt county. As
8 used in this section, "maintain a principal office" means
9 holding court or being available to hold court no less than one
10 hundred forty days during each calendar year."

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

13 "34-6-14. JUDGES--ELEVENTH JUDICIAL DISTRICT.--There
14 shall be ~~[seven]~~ eight district judges in the eleventh judicial
15 district. The judges of divisions one, three, four, ~~[and]~~ six
16 and eight shall reside and maintain their principal offices in
17 San Juan county. The judges of divisions two, five and seven
18 shall reside and maintain their principal offices in McKinley
19 county."

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

22 "34-6-16. JUDGES--THIRTEENTH JUDICIAL DISTRICT.--There
23 shall be ~~[six]~~ seven district judges in the thirteenth judicial
24 district. The judges of divisions one, three and six shall
25 reside and maintain their principal offices in Valencia county.

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1 The judges of divisions two, [~~and~~] five and seven shall reside
2 and maintain their principal offices in Sandoval county. The
3 judge of division four shall reside and maintain [~~his~~] the
4 judge's principal offices in Cibola county."

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

7 "34-8A-8. METROPOLITAN COURT--BERNALILLO DISTRICT.--

8 A. The name of the metropolitan court in the
9 Bernalillo metropolitan district shall be the "Bernalillo
10 county metropolitan court".

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

17 C. There shall be [~~eighteen~~] nineteen judges of the
18 Bernalillo county metropolitan court."

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

24 Section 8. APPROPRIATIONS.--

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

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

7 (2) six hundred twenty-seven thousand one
8 hundred thirty-two dollars (\$627,132) to the fifth judicial
9 district for salaries and benefits and furniture, supplies and
10 equipment for two additional district judges and support staff;

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

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

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

24 (6) two hundred ninety-one thousand eighty
25 dollars (\$291,080) to the Bernalillo county metropolitan court

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underscored material = new
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1 for salaries and benefits and furniture, supplies and equipment
2 for one additional judge and support staff.

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

6 Section 9. EFFECTIVE DATE.--The effective date of the
7 provisions of this act is July 1, 2006.