

AN ACT

RELATING TO COURTS; CREATING ADDITIONAL JUDGESHIPS IN THE SECOND, FOURTH AND SIXTH JUDICIAL DISTRICTS AND IN THE SAN JUAN MAGISTRATE DISTRICT; MAKING APPROPRIATIONS.

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

Section 1. Section 34-6-5 NMSA 1978 (being Laws 1968, Chapter 69, Section 8, as amended) is amended to read:

"34-6-5. JUDGES--SECOND JUDICIAL DISTRICT.--There shall be twenty-six district judges in the second judicial district."

Section 2. Section 34-6-7 NMSA 1978 (being Laws 1968, Chapter 69, Section 10, as amended) is amended to read:

"34-6-7. JUDGES--FOURTH JUDICIAL DISTRICT.--There shall be three district judges in the fourth judicial district."

Section 3. Section 34-6-9 NMSA 1978 (being Laws 1968, Chapter 69, Section 12, as amended) is amended to read:

"34-6-9. JUDGES--SIXTH JUDICIAL DISTRICT.--There shall be four district judges in the sixth judicial district. The judge of division 1 shall reside and maintain the judge's principal office in Grant county. The judge of division 4 shall reside and maintain the judge's principal office in Luna county."

Section 4. Section 35-1-27 NMSA 1978 (being Laws 1968, Chapter 62, Section 29, as amended) is amended to read:

"35-1-27. MAGISTRATE COURT--SAN JUAN DISTRICT ELECTION
DIVISION PRECINCTS.--

A. There shall be six magistrate divisions in San Juan magistrate district, each division having its own magistrate. Divisions 1, 4 and 6 shall operate as a single court in Aztec and divisions 2, 3 and 5 shall operate as a single court in Farmington.

B. Magistrate judges shall not be elected at large from the district, but shall be elected by the voters of the division for which the magistrate sits. Magistrate judges may reside anywhere within the magistrate district and shall have district-wide jurisdiction. The composition of the divisions for elections purposes is:

(1) division 1 is composed of San Juan county precincts 41, 46, 47, 60 through 67, 69 and 72;

(2) division 2 is composed of San Juan county precincts 1 through 4, 8 through 14, 19 and 82;

(3) division 3 is composed of San Juan county precincts 20, 22 through 25, 27, 28, 30, 40, 42 through 44 and 49;

(4) division 4 is composed of San Juan county precincts 5 through 7, 15, 16, 53, 57, 71, 79, 81 and 83 through 86;

(5) division 5 is composed of San Juan county precincts 18, 21, 26, 29, 31, 45, 51, 52 and 54 and

(6) division 6 is composed of San Juan county precincts 55, 56, 58, 59, 68, 70 and 73 through 76."

Section 5. TEMPORARY PROVISION--DISTRICT JUDGES-- APPOINTMENTS.--The additional district 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 6. TEMPORARY PROVISION--MAGISTRATE COURT-- APPOINTMENT AND ELECTION.--The office of magistrate in San Juan division 6 shall be filled by appointment by the governor to begin serving on July 1, 2007. The appointed magistrate shall serve until succeeded by a magistrate elected at the general election in 2008. The first full term of office of the elected magistrate shall begin on January 1, 2009.

Section 7. APPROPRIATIONS.--

A. The following amounts are appropriated from the general fund to the following agencies for expenditure in fiscal year 2008 for the following purposes:

(1) six hundred sixty-two thousand four hundred seventy-eight dollars (\$662,478) to the second judicial district court for salaries and benefits and furniture, supplies and equipment for two additional district judges and support staff;

(2) one hundred eighty-one thousand seven hundred dollars (\$181,700) to the fourth judicial district

court for salaries and benefits and furniture, supplies and equipment for one additional district judge and support staff;

(3) three hundred thirty-one thousand two hundred thirty-nine dollars (\$331,239) to the sixth judicial district court for salaries and benefits and furniture, supplies and equipment for one additional district judge and support staff; and

(4) one hundred twelve thousand six hundred fifty-four dollars (\$112,654) to the administrative office of the courts for salary and benefits and furniture, supplies and equipment for one additional magistrate judge in the San Juan magistrate district.

B. Any unexpended or unencumbered balance remaining at the end of fiscal year 2008 shall revert to the general fund.

Section 8. APPROPRIATIONS.--

A. The following amounts are appropriated from the general fund to the following entities for expenditure in fiscal year 2008 for the following purposes:

(1) two hundred eighty-two thousand dollars (\$282,000) to the second judicial district attorney to provide salaries and benefits, furniture, supplies and equipment for additional staff due to an increased district court workload;

(2) one hundred seventy-five thousand five hundred dollars (\$175,500) to the public defender department

to provide salaries and benefits, furniture, supplies and equipment for additional staff due to an increased workload in the second judicial district and for contractual services in that district;

(3) one hundred forty-one thousand one hundred dollars (\$141,100) to the fourth judicial district attorney to provide salaries and benefits, furniture, supplies and equipment for additional staff due to an increased district court workload;

(4) fifty thousand dollars (\$50,000) to the public defender department for contractual services due to an increased workload in the fourth judicial district;

(5) one hundred forty-one thousand one hundred dollars (\$141,100) to the sixth judicial district attorney to provide salaries and benefits, furniture, supplies and equipment for additional staff due to an increased district court workload;

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

(7) one hundred thousand dollars (\$100,000) to the eleventh judicial district attorney to provide salaries and benefits, furniture, supplies and equipment for additional staff due to an increased workload in the San Juan county magistrate court; and

(8) one hundred eight thousand dollars (\$108,000) to the public defender department to provide salaries and benefits, furniture, supplies and equipment for additional staff due to an increased workload in the San Juan county magistrate 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 2008 shall revert to the general fund.

Section 9. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2007. _____