

AN ACT

RELATING TO COURTS; CREATING JUDGESHIPS IN THE FIRST AND SECOND JUDICIAL DISTRICTS AND METROPOLITAN COURT; ESTABLISHING A DRUG COURT IN THE SECOND JUDICIAL DISTRICT; PROVIDING FOR ADDITIONAL ASSISTANT DISTRICT ATTORNEYS AND PUBLIC DEFENDERS; AMENDING SECTIONS OF THE NMSA 1978; MAKING APPROPRIATIONS.

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

Section 1. Section 34-6-4 NMSA 1978 (being Laws 1968, Chapter 69, Section 7, as amended) is amended to read:

"34-6-4. JUDGES--FIRST JUDICIAL DISTRICT.--There shall be seven district judges in the first judicial district."

Section 2. 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-three district judges in the second judicial district."

Section 3. Section 34-8A-4.1 NMSA 1978 (being Laws 1981, Chapter 318, Section 2, as amended) is amended to read:

"34-8A-4.1. METROPOLITAN COURT JUDGES--TERMS OF OFFICE--ELECTION.--

A. The elected term of office for each judge of the metropolitan court is four years.

B. Judges of the metropolitan court who have been

previously elected in a partisan election or who were serving as metropolitan judges on January 1, 1989 in divisions one through twelve shall be subject to retention or rejection on a nonpartisan ballot at the 1990 general election for a four-year term ending December 31, 1994.

C. Any person appointed to fill a vacancy on the metropolitan court after January 1, 1989 shall serve until the next general election. That person's successor shall be chosen at that general election and shall hold the office until the general election four years later.

D. Judges of the Bernalillo county metropolitan court for divisions thirteen, fourteen and fifteen shall be appointed and shall serve until the 1992 general election. Their successors shall be chosen at that general election and shall hold office until the general election four years later. Additional judges shall be appointed and elected pursuant to Article 6 of the constitution of New Mexico."

Section 4. Section 34-8A-8 NMSA 1978 (being Laws 1979, Chapter 346, Section 8, as amended) is amended to read:

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

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

B. The metropolitan court is an agency of the judicial department of state government. Personnel of the

metropolitan court are subject to all laws and regulations applicable to state officers and agencies and state officers and employees, except where otherwise specifically provided by law.

~~C. There shall be eighteen judges of the Bernalillo county metropolitan court."~~

Section 5. TEMPORARY PROVISION--DRUG COURT.--One of the additional judges provided for the second judicial district in this act shall preside over the operation of a drug court.

Section 6. TEMPORARY PROVISION--APPOINTMENT.--The additional district judgeships provided for in this act shall be filled by appointment by the governor pursuant to Article 6 of the constitution of New Mexico for terms beginning July 1, 1997.

Section 7. APPROPRIATIONS.--

A. The following amounts are appropriated from the general fund to the following entities for expenditure in fiscal year 1998 for the specified purposes:

(1) two hundred ninety-seven thousand five hundred seventy-seven dollars (\$297,577) to pay the cost of adding an additional judgeship in the first judicial district, including salary and benefits, training and office equipment, furnishings and supplies;

(2) four hundred ninety thousand nine

hundred dollars (\$490,900) to the second judicial district to pay two district court judges' salaries and benefits, provide support staff and purchase furniture and equipment for the judgeships;

~~(3) six hundred twenty-one thousand dollars (\$621,000) to the Bernalillo county metropolitan court for the purpose of paying salaries and benefits and providing furniture, equipment and supplies for three judges and support staff;~~

(4) three hundred eighty-eight thousand three hundred dollars (\$388,300) to the district attorney's office for the second judicial district to pay for salaries and benefits for assistant district attorneys and support staff; and

(5) five hundred sixty-six thousand dollars (\$566,000) to the public defender department to pay for salaries and benefits for public defenders and support staff.

B. Any unexpended or unencumbered balance remaining at the end of fiscal year 1998 shall revert to the general fund.

~~Section 8. APPROPRIATIONS.--~~

~~A. The following amounts are appropriated from the general fund to the third judicial district for expenditure in fiscal year 1998 for the specified purposes:~~

~~(1) one hundred twenty thousand dollars~~

