11
12
13
14
15
16
17
18
19
20
21
22
23
24

25

1

2

3

5

6

7

9

10

HOUSE BILL 1234

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

DELORES C. WRIGHT

AN ACT

RELATING TO JUDGES; PROVIDING FOR TWO ADDITIONAL MAGISTRATE
JUDGES IN DONA ANA MAGISTRATE DISTRICT; 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 operating as a single court in Las Cruces. The magistrates in divisions 1, 2 and 3 shall rotate riding circuit to [Anthony and] Hatch on a regularly scheduled basis. The magistrates in divisions 4 and 5 shall operate as a single court in Anthony."

1

2

3

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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

The office of magistrate in Dona Ana magistrate divisions 4 and 5 shall be filled by appointment by the The appointed magistrates shall begin serving January 1, 1998 and shall serve until succeeded by magistrates elected pursuant to Subsection B of this section.

В. 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 1998, and those terms of office shall begin on January 1, 1999.

Section 3. APPROPRIATION. -- One hundred fifty thousand dollars (\$150,000) is appropriated from the general fund to the Dona Ana magistrate district for expenditure in fiscal year 1998 for three additional full-time-equivalent positions. unexpended or unencumbered balance remaining at the end of fiscal year 1998 shall revert to the general fund.

- 2 -