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."

.124408.1

1   Section 2.   TEMPORARY PROVISION--APPOINTMENT--DIVISIONS 4

2 AND 5--ELECTION.--

3   A.   The office of magistrate in Dona Ana magistrate

4 divisions 4 and 5 shall be filled by appointment by the

5 governor.   The appointed magistrates shall begin serving July

6 1, 1999 and shall serve until succeeded by magistrates elected

7 pursuant to Subsection B of this section.

8   B.   The first full term of the office of magistrate

9 in Dona Ana magistrate divisions 4 and 5 shall be filled by

10 election at the general election in 2000, and those terms of

11 office shall begin on January 1, 2001.

12   Section 3.   APPROPRIATION.--One hundred fifty thousand

13 dollars ($150,000) is appropriated from the general fund to

14 the Dona Ana magistrate district for expenditure in fiscal

15 year 2000 to pay salaries and benefits of the Dona Ana

16 magistrate district divisions 4 and 5 and to pay the costs of

17 rent, furnishings, supplies and equipment to establish the new

18 divisions.   Any unexpended or unencumbered balance remaining

19 at the end of fiscal year 2000 shall revert to the general

20 fund.

21

22   - 2 -

23

24

25

.124408.1

FORTY-FOURTH LEGISLATURE

FIRST SESSION, 1999

February 3, 1999

Mr. Speaker:

Your **JUDICIARY COMMITTEE,** to whom has been referred

HOUSE BILL 148

has had it under consideration and reports same with
recommendation that it **DO PASS**, amended as follows:

1.   On page 1, line 21, strike "and" and insert in lieu
thereof a comma, and after "3" insert " and 4".

2.   On page 1, line 22, strike "and" and insert in lieu
thereof a comma, and after "3" insert " and 4".

3.   On page 1, line 24, strike "magistrates" and insert
in lieu thereof "magistrate", strike "divisions" and insert in
lieu thereof "division", and strike "4 and".,

and thence referred to the **VOTERS & ELECTIONS**

.124408.1

1

2

4   **COMMITTEE.**

5

6   Respectfully submitted,

7

8

9

10   _____

11   **R. David Pederson, Chairman**

12

13   Adopted _____   Not Adopted _____

14   (Chief Clerk)   (Chief Clerk)

15

16   Date _____

17

18   The roll call vote was _9_ For _0_ Against

        Yes: 9

19   Excused: Garcia, Luna, Sanchez

20   Absent: None

21

22

23   C:\REPORTS\H0148JC1.wpd

24

25

        .124408.1

FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

February 16, 1999

Mr. Speaker:

Your **VOTERS AND ELECTIONS COMMITTEE,** to whom has been referred

HOUSE BILL 148, as amended

has had it under consideration and reports same with recommendation that it **DO PASS**, and thence referred to the **APPROPRIATIONS AND FINANCE COMMITTEE.**

Respectfully submitted,

_____

Edward C. Sandoval, Chairman

. 124408. 1

Adopted _____   Not Adopted _____

           (Chief Clerk)   (Chief Clerk)

                       Date _____

The roll call vote was __11__ For __1__ Against

Yes: 11

No: Coll

Excused: None

Absent: None

J:\99BillsWP\H0148

.124408.1