

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 33

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 1999

INTRODUCED BY

E. G. Smokey Blanton

AN ACT

**RELATING TO COURTS; PROVIDING FOR ADDITIONAL MAGISTRATES IN
DONA ANA COUNTY; PROVIDING FOR APPOINTMENT AND ELECTION;
AMENDING A SECTION OF THE NMSA 1978; MAKING AN APPROPRIATION;
DECLARING AN EMERGENCY.**

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, divisions 1, 2, [~~and~~] 3, 4 and 5 operating as a
single court in Las Cruces. The magistrates shall rotate
riding circuit to Anthony and Hatch on a regularly scheduled
basis."**

Section 2. TEMPORARY PROVISION--DONA ANA COUNTY--

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 APPOINTMENT AND ELECTION-- DIVISIONS 4 AND 5. --

2 A. The office of magistrate in Dona Ana magistrate
3 divisions 4 and 5 shall be filled by appointment by the
4 governor. The appointed magistrates shall begin serving on
5 July 1, 1999 and shall serve until succeeded by magistrates
6 elected pursuant to Subsection B of this section.

7 B. The first full term of the office of magistrate
8 in Dona Ana magistrate divisions 4 and 5 shall be filled by
9 election at the general election in 2000, and those terms of
10 office shall begin on January 1, 2001.

11 Section 3. APPROPRIATION.-- One hundred fifty thousand
12 dollars (\$150,000) is appropriated from the general fund to
13 the administrative office of the courts for expenditure in
14 fiscal year 2000 for salaries, benefits, travel, furniture,
15 supplies and office costs for two new magistrate judges in
16 Dona Ana magistrate district divisions 4 and 5. Any
17 unexpended or unencumbered balance remaining at the end of
18 fiscal year 2000 shall revert to the general fund.

19 Section 4. EMERGENCY.-- It is necessary for the public
20 peace, health and safety that this act take effect
21 immediately.