

AN ACT

RELATING TO COURTS; PROVIDING FOR AN ADDITIONAL MAGISTRATE
IN THE DONA ANA MAGISTRATE DISTRICT; PROVIDING FOR
APPOINTMENT AND ELECTION; PROVIDING ADDITIONAL RESOURCES FOR
THE PUBLIC DEFENDER DEPARTMENT; MAKING APPROPRIATIONS.

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 five magistrates in Dona Ana magistrate district.
Divisions 1, 2, 3, 4 and 5 shall operate as a single court
in Las Cruces and shall rotate riding circuit to Anthony and
Hatch on a regularly scheduled basis. "

Section 2. TEMPORARY PROVISION--DONA ANA MAGISTRATE--
APPOINTMENT AND ELECTION.--The office of magistrate in Dona
Ana magistrate division 5 shall be filled by appointment by
the governor. The appointed magistrate shall begin serving
on July 1, 2001 and shall serve until succeeded by a
magistrate elected at the general election in 2002. The
elected magistrate's term of office shall begin on January
1, 2003.

Section 3. APPROPRIATION.--Ninety thousand dollars
(\$90,000) is appropriated from the general fund to the
administrative office of the courts for expenditure in
fiscal year 2002 for salary and benefits for an additional

magistrate in the Dona Ana magistrate district. Any unexpended or unencumbered balance remaining at the end of fiscal year 2002 shall revert to the general fund.

Section 4. APPROPRIATION. -- Eighty-seven thousand dollars (\$87,000) is appropriated from the general fund to the public defender department for expenditure in fiscal year 2002 to provide salaries and benefits and furniture, supplies, equipment and in-state travel for an additional public defender attorney and support staff and to provide for costs of contract and conflict counsel due to increased workload in the Dona Ana magistrate district. Any unexpended or unencumbered balance remaining at the end of fiscal year 2002 shall revert to the general fund.

Section 5. EFFECTIVE DATE. -- The effective date of the provisions of this act is July 1, 2001. _____