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## 42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1996

INTRODUCED BY

WESLEY L. GRAU

### AN ACT

RELATING TO JUDGES; PROVIDING FOR AN ADDITIONAL MAGISTRATE JUDGE
IN QUAY 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 35-1-23 NMSA 1978 (being Laws 1968, Chapter 62, Section 25, as amended) is amended to read:

"35-1-23. MAGISTRATE COURT--QUAY DISTRICT.--There shall be [one magistrate] two magistrates in Quay magistrate district [whose principal court is] one for division 1 in Tucumcari [The magistrate shall ride circuit to] and one for division 2 in San Jon [on a regularly scheduled basis]."

Section 2. TEMPORARY PROVISION--APPOINTMENT--DIVISION 2--ELECTION.--

A. The office of magistrate in Quay magistrate division 2 shall be filled by appointment by the governor. The appointed magistrate shall begin serving January 1, 1997 and shall serve until succeeded by a magistrate elected pursuant to Subsection B of this section.

B. The first full term of the office of magistrate in Quay magistrate division 2 shall be filled by election at the general election in 1998, and that term of office shall begin on January 1, 1999.

Section 3. APPROPRIATION. -- Thirty-five thousand six hundred twenty-three dollars (\$35,623) is appropriated from the general fund to the Quay magistrate district for expenditure in fiscal year 1997 for one additional full-time-equivalent position. Any unexpended or unencumbered balance remaining at the end of fiscal year 1997 shall revert to the general fund.

Section 4. EFFECTIVE DATE. -- The effective date of the provisions of this act is January 1, 1997.

- 2 -

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# State of New Mexico House of Representatives

# FORTY- SECOND LEGISLATURE SECOND SESSION, 1996

January 22, 1996

7 Mr. Speaker:

Your RULES AND ORDER OF BUSINESS

**COMMITTEE**, to whom has been referred

## **HOUSE BILL 21**

has had it under consideration and finds same to be

**GERMANE** in accordance with constitutional provisions.

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# State of New Mexico House of Representatives

# FORTY- SECOND LEGISLATURE SECOND SESSION, 1996

February 2, 1996

Mr. Speaker:

referred

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

### **HOUSE BILL 21**

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

1. On page 2, line 12, strike "Quay magistrate district" and insert in lieu thereof "administrative office of the courts".,

and thence referred to the **APPROPRIATIONS AND FINANCE COMMITTEE.** 

# FORTY-SECOND LEGISLATURE SECOND SESSION, 1996

Page 8

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13		R. David Pederson,
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## FORTY-SECOND LEGISLATURE SECOND SESSION, 1996

Page 9

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The roll call vote was 9 For 0 Against

Yes: 

Excused:

Alwin, McSorley, Perls, Sanchez, R.G.

Absent:

H0021JC1

None