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HOUSE BILL 195

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

INTRODUCED BY

HENRY KIKI SAAVEDRA

AN ACT

RELATING TO COURTS; PROVIDING FOR THREE ADDITIONAL JUDGES IN THE  
BERNALILLO COUNTY METROPOLITAN COURT; AMENDING SECTIONS OF THE  
NMSA 1978; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 34-8A-4.1 NMSA 1978 (being Laws 1981,  
Chapter 318, Section 2, as amended) is amended to read:

"34-8A-4.1. METROPOLITAN COURT JUDGES--TERMS OF OFFICE--  
ELECTION. --

A. The elected term of office for each judge of the  
metropolitan court is four years.

B. Judges of the metropolitan court who have been  
previously elected in a partisan election or who were serving as  
metropolitan judges on January 1, 1989 in divisions one through  
twelve shall be subject to retention or rejection on a

Underscored material = new  
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1 nonpartisan ballot at the 1990 general election for a four-year  
2 term ending December 31, 1994.

3 C. Any person appointed to fill a vacancy on the  
4 metropolitan court after January 1, 1989 shall serve until the  
5 next general election. That person's successor shall be chosen  
6 at that general election and shall hold the office until the  
7 general election four years later.

8 D. Judges of the Bernalillo county metropolitan  
9 court for divisions thirteen, fourteen and fifteen shall be  
10 appointed and shall serve until the 1992 general election.  
11 Their successors shall be chosen at that general election and  
12 shall hold office until the general election four years later.

13 E. Judges of the Bernalillo county metropolitan  
14 court for divisions sixteen, seventeen and eighteen shall be  
15 appointed pursuant to Article 6, Section 37 of the constitution  
16 of New Mexico and shall serve until the 1998 general election.  
17 Their successors shall be chosen at that general election and  
18 shall hold office until the general election four years later."

19 Section 2. Section 34-8A-8 NMSA 1978 (being Laws 1979,  
20 Chapter 346, Section 8, as amended) is amended to read:

21 "34-8A-8. METROPOLITAN COURT--BERNALILLO DISTRICT.--

22 A. The name of the metropolitan court in the  
23 Bernalillo metropolitan district shall be the "Bernalillo county  
24 metropolitan court".

25 B. The metropolitan court is an agency of the

Underscored material = new  
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1 judicial department of state government. Personnel of the  
2 metropolitan court are subject to all laws and regulations  
3 applicable to state officers and agencies and state officers and  
4 employees, except where otherwise specifically provided by law.

5 C. There shall be [~~fifteen~~] eighteen judges of the  
6 Bernalillo county metropolitan court. "

7 Section 3. APPROPRIATION. -- Six hundred ten thousand  
8 dollars (\$610,000) is appropriated from the general fund to the  
9 Bernalillo county metropolitan court for expenditure in fiscal  
10 year 1997 for the purpose of paying salaries and benefits and  
11 providing furniture, equipment and supplies for three judges and  
12 support staff. Any unexpended or unencumbered balance remaining  
13 at the end of fiscal year 1997 shall revert to the general fund.

14 Section 4. EFFECTIVE DATE. -- The effective date of the  
15 provisions of this act is July 1, 1996.

# State of New Mexico House of Representatives

FORTY- SECOND LEGISLATURE

SECOND SESSION, 1996

February 2, 1996

Mr. Speaker:

Your JUDICIARY COMMITTEE, to whom has been referred

HOUSE BILL 195

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,

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R. David Pederson, Vice Chairman

FORTY- SECOND LEGISLATURE  
SECOND SESSION, 1996

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 10 For 0 Against

Yes: 10

Excused: McSorley, Perls, Sanchez, R. G.

Absent: None

H0195JC1

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# **State of New Mexico House of Representatives**

**FORTY-SECOND LEGISLATURE  
SECOND SESSION, 1996**

**February 11, 1996**

**Mr. Speaker:**

**Your APPROPRIATIONS AND FINANCE COMMITTEE, to  
whom has been referred**

**HOUSE BILLS 195 AND 196**

**has had them under consideration and reports same with  
recommendation that they DO NOT PASS, but that**

**HOUSE APPROPRIATIONS AND FINANCE COMMITTEE  
SUBSTITUTE FOR HOUSE BILLS 195 AND 196**

**DO PASS.**

**Respectfully submitted,**

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**Max Coll, Chairman**

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FORTY-SECOND LEGISLATURE  
SECOND SESSION, 1996

HB's 195 and 196

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 15 For 1 Against

Yes: 15

No: Bird

Excused: Gentry, Martinez

Absent: none

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~~[bracketed material] = delete~~

1 HOUSE APPROPRIATIONS AND FINANCE COMMITTEE SUBSTITUTE FOR  
2 HOUSE BILLS 195 AND 196  
3 42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,  
4 1996  
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10 AN ACT

11 RELATING TO COURTS; PROVIDING FOR ADDITIONAL JUDGES IN THE  
12 BERNALILLO COUNTY METROPOLITAN COURT AND IN THE CHILDREN' S COURT  
13 IN THE SECOND JUDICIAL DISTRICT; AMENDING SECTIONS OF THE NMSA  
14 1978; MAKING APPROPRIATIONS.

15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 Section 1. Section 34-8A-4.1 NMSA 1978 (being Laws 1981,  
17 Chapter 318, Section 2, as amended) is amended to read:

18 "34-8A-4.1. METROPOLITAN COURT JUDGES--TERMS OF OFFICE--  
19 ELECTION. --

20 A. The elected term of office for each judge of the  
21 metropolitan court is four years.

22 B. Judges of the metropolitan court who have been  
23 previously elected in a partisan election or who were serving as  
24 metropolitan judges on January 1, 1989 in divisions one through  
25 twelve shall be subject to retention or rejection on a

. 112081. 1

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nonpartisan ballot at the 1990 general election for a four-year term ending December 31, 1994.

1 C. Any person appointed to fill a vacancy on the  
2 metropolitan court after January 1, 1989 shall serve until the  
3 next general election. That person's successor shall be chosen  
4 at that general election and shall hold the office until the  
5 general election four years later.

6 D. Judges of the Bernalillo county metropolitan  
7 court for divisions thirteen, fourteen and fifteen shall be  
8 appointed and shall serve until the 1992 general election.  
9 Their successors shall be chosen at that general election and  
10 shall hold office until the general election four years later.

11 E. Judges of the Bernalillo county metropolitan  
12 court for divisions sixteen, seventeen and eighteen shall be  
13 appointed pursuant to Article 6, Section 37 of the constitution  
14 of New Mexico and shall serve until the 1998 general election.  
15 Their successors shall be chosen at that general election and  
16 shall hold office until the general election four years later."

17 Section 2. Section 34-8A-8 NMSA 1978 (being Laws 1979,  
18 Chapter 346, Section 8, as amended) is amended to read:

19 "34-8A-8. METROPOLITAN COURT--BERNALILLO DISTRICT.--

20 A. The name of the metropolitan court in the  
21 Bernalillo metropolitan district shall be the "Bernalillo county  
22 metropolitan court".

23 B. The metropolitan court is an agency of the  
24 judicial department of state government. Personnel of the  
25 metropolitan court are subject to all laws and regulations  
applicable to state officers and agencies and state officers and

1 employees, except where otherwise specifically provided by law.

2 C. There shall be [~~fifteen~~] eighteen judges of the  
3 Bernalillo county metropolitan court. "

4 Section 3. Section 34-6-5 NMSA 1978 (being Laws 1968,  
5 Chapter 69, Section 8, as amended) is amended to read:

6 "34-6-5. JUDGES--SECOND JUDICIAL DISTRICT.--There shall be  
7 [~~twenty-one~~] twenty-two district judges in the second judicial  
8 district. "

9 Section 4. TEMPORARY PROVISION--APPOINTMENT.--The additional  
10 judgeship provided for in Section 3 of this act shall be filled by  
11 the governor pursuant to Article 6, Section 36 of the constitution  
12 of New Mexico.

13 Section 5. APPROPRIATION--BERNALILLO COUNTY METROPOLITAN  
14 COURT.--Six hundred ten thousand dollars (\$610,000) is appropriated  
15 from the general fund to the Bernalillo county metropolitan court  
16 for expenditure in fiscal year 1997 for the purpose of paying  
17 salaries and benefits and providing furniture, equipment and  
18 supplies for three judges and support staff. Any unexpended or  
19 unencumbered balance remaining at the end of fiscal year 1997 shall  
20 revert to the general fund.

21 Section 6. APPROPRIATION--SECOND JUDICIAL DISTRICT.--Two  
22 hundred twenty-six thousand dollars (\$226,000) is appropriated from  
23 the general fund to the second judicial district for expenditure in  
24 fiscal year 1997 for the purpose of paying salaries and benefits  
25 and providing equipment, furniture and supplies for one additional

1 children's court judge and support staff. Any unexpended or  
2 unencumbered balance remaining at the end of fiscal year 1997 shall  
3 revert to the general fund.

4 Section 7. EFFECTIVE DATE. -- The effective date of the  
5 provisions of this act is July 1, 1996.

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FORTY- SECOND LEGI SLATURE  
SECOND SESSI ON, 1996

February 14, 1996

Mr. President:

Your JUDI CIARY COMMI TTEE, to whom has been referred  
HOUSE APPROPRIATIONS AND FINANCE COMMI TTEE SUBSTI TUTE  
FOR HOUSE BILLS 195 AND 196

has had it under consideration and reports same with recommendation  
that it DO PASS, and thence referred to the FINANCE COMMI TTEE.

Respectfully submit ted,

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Jani ce D. Paster, Chair man

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 5 For 0 Against  
Yes: 5  
No: 0  
Excused: None  
Absent: Carraro, Stefani cs, Tsosi e, Vernon

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FORTY- SECOND LEGISLATURE                      HB 195/a  
SECOND SESSION, 1996

February 14, 1996

Mr. President:

Your FINANCE COMMITTEE, to whom has been referred

HOUSE APPROPRIATIONS AND FINANCE COMMITTEE SUBSTITUTE  
FOR HOUSE BILLS 195 AND 196

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

1. On page 3, line 18, strike "Six hundred ten thousand dollars (\$610,000)" and insert in lieu thereof "Five hundred thousand dollars (\$500,000)".

Respectfully submitted,

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**FORTY-SECOND LEGISLATURE  
SECOND SESSION, 1996**

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Ben D. Altamirano, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 8 For 0 Against

Yes: 8

No: 0

Excused: Donisthorpe, Duran, Ingle, Kidd, Kysar

Absent: None

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