

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

SENATE BILL 863

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

INTRODUCED BY

DUNCAN SCOTT

AN ACT

RELATING TO COURTS; REMOVING SUPERVISORY CONTROL OF THE  
MAGISTRATE COURT FROM THE ADMINISTRATIVE OFFICE OF THE COURTS;  
AMENDING AND REPEALING SECTIONS OF THE NMSA 1978.

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

Section 1. Section 35-7-1 NMSA 1978 (being Laws 1968,  
Chapter 62, Section 96) is amended to read:

"35-7-1. MAGISTRATE ADMINISTRATION--SUPERVISION. --The  
[administrative office of the courts] supreme court has  
supervision and control of the administration of the magistrate  
court. The [director of the administrative office of the courts  
shall promulgate and enforce regulations] supreme court shall  
adopt rules governing the administration of the magistrate  
court. [and any magistrate who violates any regulation  
promulgated by the director is guilty of a petty misdemeanor

Underscored material = new  
[bracketed material] = delete

Underscored material = new  
[bracketed material] = delete

1 ~~and, upon conviction, shall be removed from office. The~~  
2 ~~administrative office]~~ The supreme court shall enforce all laws  
3 relating to administration of the magistrate court [~~and the~~  
4 ~~attorney general shall investigate and assist whenever requested~~  
5 ~~to do so by the administrative office]. "~~

6 Section 2. REPEAL. -- Section 35-7-2 NMSA 1978 (being Laws  
7 1968, Chapter 62, Section 97) is repealed.

8 Section 3. EFFECTIVE DATE. -- The effective date of the  
9 provisions of this act is July 1, 1996.

10 - 2 -

1 FORTY- SECOND LEGI SLATURE  
2 SECOND SESSI ON, 1996  
3  
4

5 FEBRUARY 8, 1996  
6

7 Mr. Presi dent:  
8

9 Your COMMI TTEES' COMMI TTEE, to whom has been referred  
10

11 SENATE BILL 863  
12

13 has had it under consideration and finds same to be GERMANE, PURSUANT  
14 TO SENATE EXECUTIVE MESSAGE NUMBER TWENTY EIGHT, and thence referred to  
15 the JUDI CI ARY COMMI TTEE.  
16

17 Respectfully submi tted,  
18  
19

20  
21  
22 \_\_\_\_\_  
23 SENATOR MANNY M. ARAGON, Chai rman  
24  
25

Adopted \_\_\_\_\_

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

(Chief Clerk)

(Chief Clerk)

- 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

Date \_\_\_\_\_

S0863CC1

Underscored material = new  
~~[bracketed material] = delete~~

1 FORTY-SECOND LEGISLATURE  
2 SECOND SESSION, 1996  
3  
4

SB 863/a

5 February 11, 1996  
6

7 Mr. President:  
8

9 Your JUDICIARY COMMITTEE, to whom has been referred  
10

11 SENATE BILL 863  
12

13 has had it under consideration and reports same with recommendation that  
14 it DO PASS, amended as follows:  
15

16 1. On page 1, line 11, strike "REMOVING" and insert in lieu  
17 thereof "REVISING".  
18

19 2. On page 1, line 12, strike "FROM THE ADMINISTRATIVE OFFICE OF  
20 THE COURTS".  
21

22 3. On page 1, line 19, remove the brackets and the line-through  
23 and strike "supreme court".  
24

25 4. On page 1, lines 21 and 22, remove the brackets and the line-  
through.

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

SJC/SB 863

Page 6

5. On page 1, lines 22 and 23, strike "supreme court shall adopt rules".

6. On page 1, line 23, insert a period after "court".

The roll call vote on Amendments Nos. 3, 4, 5 and 6 was 5 For and 0 Against.

Yes: 5

No: 0

Excused: Carraro, Cisneros, Stefanics, Vernon

Absent: None

Respectfully submitted,

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

SJC/SB 863

Page 7

\_\_\_\_\_  
Janice D. Paster, Chairman

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

Date \_\_\_\_\_

The roll call vote was 3 For 2 Against

Yes: 3

No: Sanchez, Paster

Excused: Carraro, Cisneros, Stefani cs, Vernon

Absent: None

S0863JU1