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HOUSE BILL 175

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

HENRY KIKI SAAVEDRA

AN ACT

RELATING TO COURTS; PROVIDING FOR THREE ADDITIONAL JUDGES IN THE
BERNALILLO COUNTY METROPOLITAN COURT; PROVIDING FOR ADDITIONAL
DISTRICT ATTORNEYS AND PUBLIC DEFENDERS; 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

Underscored material = new
[bracketed material] = delete

1 twelve shall be subject to retention or rejection on a
2 nonpartisan ballot at the 1990 general election for a four-year
3 term ending December 31, 1994.

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

9 D. Judges of the Bernalillo county metropolitan
10 court for divisions thirteen, fourteen and fifteen shall be
11 appointed and shall serve until the 1992 general election.
12 Their successors shall be chosen at that general election and
13 shall hold office until the general election four years later.
14 Judges of the Bernalillo county metropolitan court for divisions
15 sixteen, seventeen and eighteen shall be appointed pursuant to
16 Article 6, Section 37 of the constitution of New Mexico and
17 shall serve until the 2000 general election. Their successors
18 shall be chosen at that general election and shall hold office
19 until the general election four years later."

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

22 "34-8A-8. METROPOLITAN COURT--BERNALILLO DISTRICT.--

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

Underscored material = new
[bracketed material] = delete

1 B. The metropolitan court is an agency of the
2 judicial department of state government. Personnel of the
3 metropolitan court are subject to all laws and regulations
4 applicable to state officers and agencies and state officers and
5 employees, except where otherwise specifically provided by law.

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

8 Section 3. APPROPRIATION. --

9 A. One million three hundred seventy-seven thousand
10 dollars (\$1,377,000) is appropriated from the general fund to
11 the following entities in the following amounts for expenditure
12 in fiscal year 1998:

13 (1) six hundred twenty-one thousand dollars
14 (\$621,000) to the Bernalillo county metropolitan court for the
15 purpose of paying salaries and benefits and providing furniture,
16 equipment and supplies for three judges and support staff;

17 (2) two hundred eighty-seven thousand dollars
18 (\$287,000) to the district attorney's office for the second
19 judicial district for the purpose of paying salaries and
20 benefits and providing furniture, equipment and supplies for
21 three assistant district attorneys and support staff; and

22 (3) four hundred sixty-nine thousand dollars
23 (\$469,000) to the public defender department for the purpose of
24 paying salaries and benefits and providing furniture, equipment
25 and supplies for six public defenders and support staff.

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

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B. Any unexpended or unencumbered balance remaining at the end of fiscal year 1998 shall revert to the general fund.

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

State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

February 3, 1997

Mr. Speaker:

Your JUDICIARY COMMITTEE, to whom has been referred

HOUSE BILL 175

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

1. On page 2, line 17, strike "2000" and insert in lieu
thereof "1998".,

and thence referred to the APPROPRIATIONS AND FINANCE
COMMITTEE.

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Respectfully submitted,

Thomas P. Foy, Chairman

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 11 For 0 Against

Yes: 11

Excused: King, Sanchez

Absent: None

M \H0175