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HOUSE BILL 894

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

INTRODUCED BY

G. X. MCSHERRY

AN ACT

RELATING TO JUDGES; PROVIDING FOR AN ADDITIONAL MAGISTRATE JUDGE  
IN THE LUNA 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 35-1-19 NMSA 1978 (being Laws 1968,  
Chapter 62, Section 21) is amended to read:

"35-1-19. MAGISTRATE COURT--LUNA DISTRICT.--There shall be  
[~~one magistrate~~] two magistrates in Luna magistrate district  
with [~~a~~] divisions 1 and 2 operating as a single court in  
Deming. "

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

A. The office of magistrate in the Luna magistrate

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1 district division 2 shall be filled by appointment by the  
2 governor. The appointed magistrate shall begin serving January  
3 1, 1998 and shall serve until succeeded by a magistrate elected  
4 pursuant to Subsection B of this section.

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

9 Section 3. APPROPRIATION. -- Fifty thousand dollars  
10 (\$50,000) is appropriated from the general fund to the  
11 administrative office of the courts for expenditure in fiscal  
12 year 1998 for salary, benefits, office space and supplies for  
13 one magistrate judge in the Luna magistrate district division 2.  
14 Any unexpended or unencumbered balance remaining at the end of  
15 fiscal year 1998 shall revert to the general fund.

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

**FORTY-THIRD LEGISLATURE**  
**FIRST SESSION, 1997**

**March 5, 1997**

**Mr. Speaker:**

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

**HOUSE BILL 894**

**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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**Thomas P. Foy, Chairman**

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**FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997**

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

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 8 For 1 Against

Yes: 8

No: Pederson

Excused: Luna, Rios, Sanchez, Stewart

Absent: None

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

**FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997**

**March 15, 1997**

**Mr. Speaker:**

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

**HOUSE BILL 894**

**has had it under consideration and reports same with  
recommendation that it DO PASS.**

**Respectfully submitted,**

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**Max Coll, Chairman**

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FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

HB-894

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

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 10 For 1 Against

Yes: 10

No: Bird

Excused: Buffett, Garcia, M. H., Marquardt, Picraux, Salazar,  
Watchman

Absent: None

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1 FORTY-THIRD LEGISLATURE  
2 FIRST SESSION, 1997

HB 894/a

3  
4 March 18, 1997

5  
6 Mr. President:

7  
8 Your FINANCE COMMITTEE, to whom has been referred

9 HOUSE BILL 894

10  
11 has had it under consideration and reports same with  
12 recommendation that it DO PASS, amended as follows:

- 13
- 14 1. On page 1, line 12, strike "APPOINTMENT AND".
  - 15
  - 16 2. On page 1, lines 13 and 14, strike "; MAKING AN  
17 APPROPRIATION".
  - 18
  - 19 3. On page 1, line 23, strike "APPOINTMENT AND".
  - 20
  - 21 4. On page 1, strike line 25.
  - 22
  - 23 5. On page 2, strike lines 1 through 4 and on line 5, strike  
24 "B. ".
  - 25 6. On page 2, strike Section 3 in its entirety.

FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

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SFC/HB 894

Page 8

Respectfully submitted,

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Ben D. Altamirano, Chairman

Adopted \_\_\_\_\_  
(Chief Clerk)

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

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FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

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SFC/HB 894

Page 9

Date \_\_\_\_\_

The roll call vote was 6 For 0 Against

Yes: 6

No: None

Excused: Aragon, Carraro, Eisenstadt, McKibben, Altamirano

Absent: None

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