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SENATE BILL 116
43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997
INTRODUCED BY
JOHN ARTHUR SMITH

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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[bracketed material] = delete

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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.

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FORTY-THIRD LEGISLATURE SB 116/a
FIRST SESSION, 1997

February 22, 1997

Mr. President:

Your FINANCE COMMITTEE, to whom has been referred

SENATE BILL 116

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

1. On page 1, line 12, strike "APPOINTMENT AND".
2. On page 1, lines 13 and 14, strike "; MAKING AN
APPROPRIATION".
3. On page 1, line 23, strike "APPOINTMENT AND".
4. On page 1, strike line 25.
5. On page 2, strike lines 1 through 4 and on line 5, strike

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

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SFC/SB 116

Page 4

"B. "

6. On page 2, strike Section 3 in its entirety.

Respectfully submitted,

Ben D. Altamirano, Chairman

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

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SFC/SB 116

Page 5

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

No: None

Excused: Aragon, Carraro, Lyons, Romero

Absent: None

S0116/FC1

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Underscored material = new
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State of New Mexico
House of Representatives

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 19, 1997

Mr. Speaker:

Your JUDICIARY COMMITTEE, to whom has been referred

SENATE BILL 116, as amended

**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,

Thomas P. Foy, Chairman

Underscored material = new
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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 3 Against

Yes: 8

No: Alwin, Mallory, Pederson

Excused: Rios, Sanchez

Absent: None

M \S0116

Underscored material = new
[bracketed material] = delete

State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 20, 1997

Mr. Speaker:

Your APPROPRIATIONS AND FINANCE COMMITTEE, to
whom has been referred

SENATE BILL 116, as amended

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

Respectfully submitted,

Max Coll, Chairman

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 14 For 2 Against

Yes: 14

No: Bird, Buffett

Excused: Marquardt

Absent: None

M \S0116

Underscored material = new
[bracketed material] = delete