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OFFICE OF  
SECRETARY OF STATE

## State of New Mexico

Michelle Lujan Grisham  
*Governor*

April 9, 2021

### SENATE EXECUTIVE MESSAGE NO. 28

The Honorable Mimi Stewart, President Pro Tempore  
and Members of the New Mexico State Senate  
State Capitol Building  
Santa Fe, New Mexico 87501

Dear President Pro Tempore Stewart and Members of the Senate:

I have decided to veto Senate Bill 131 ("SB 131"), which would have altered the calculation of the state distribution for public school capital improvements. SB 131 created the category of "discretionary program units" in the Public Schools Capital Improvements Act, NMSA 1978, Section 22-25-1 to -11 (2019). The new discretionary program units category included fine arts education, elementary physical education, bilingual multicultural education programs, extended learning time programs, and K-5 plus programs. SB 131 excluded these program units from the calculation of state distribution for public school capital improvements in order to lower the program guarantee and reduce the overall state distribution to school districts. Because fine arts, physical education, bilingual education programs, and the other programs defined as discretionary program units are a priority in our children's education, these vital programs should be included in the calculation of the state distribution for public schools' capital improvements for school districts.

My decision to veto this bill was made only after consultation with you on the substantive issues raised in this legislation, and I appreciate your continuing efforts to seek out flexible and innovative means for funding our State's schools.


For these reasons, and pursuant to my authority under Article IV, Section 22 of the New Mexico Constitution, I have vetoed SENATE BILL 131, enacted by the Fifty-Fifth Legislature, First Session.

Respectfully yours,

A handwritten signature in black ink that reads "Michelle Lujan Grisham".  
Michelle Lujan Grisham  
Governor

RECEIVED FROM THE OFFICE OF THE GOVERNOR

Time: 10:23 am  
Date: April 9, 2021

By   
Secretary of State of New Mexico

Time: 10:58 AM  
Date: 4-9-21

By   
Chief Clerk of the Senate