

March 9, 2022

SENATE EXECUTIVE MESSAGE NO. 49

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

Dear President Pro Tempore Stewart and Members of the Senate:

I am pleased to sign SENATE FINANCE COMMITTEE SUBSTITUTE FOR SENATE BILL 212 (“Senate Bill 212”), with emergency clause, and enact into law funding for significant infrastructure investments throughout New Mexico. Sound investment of public funds is essential for the State’s economic growth, protection of New Mexico’s natural resources, and the quality of life of New Mexico communities. This bill funds more than \$827 million in projects. A total of \$393 million in state agency capital projects are funded, including \$18 million for a new magistrate court house, \$10 million for statewide improvements at correctional department facilities, \$10.4 million for improvements to state owned facilities, \$20 million for film studio facilities, \$10 million for Mainstreet projects, \$20 million for a new veterans’ home campus, \$15 million for a new executive office building, \$8.5 million for a new Children, Youth and Families Department field office building and \$75 million for maintenance and repair of public school buildings. The bill also funds about \$60 million for tribal projects, almost \$114 million for public safety projects (including a \$20 million public safety administrative complex and \$26 million for public safety radio communications systems), \$137 million for water and wastewater projects, about \$124 million for public schools, \$46 million for road projects, about \$19 million for behavioral health facilities and \$17 million for housing projects.

While Senate Bill 212 does much to address our State’s infrastructure needs, the bill includes several projects that lack proper planning or are not ready to proceed. For these and other reasons, I have vetoed \$4.6 million in severance tax bond projects. These vetoes total approximately .6% of the total amount of capital outlay provided for in Senate Bill 212.

In some instances, I have exercised the power accorded to me by Article IV, Section 22 of the New Mexico Constitution to disapprove “any part or parts” of Senate Bill 212. N.M. Const. Art. IV, § 22. I have done so to remove unduly or unnecessarily restrictive language on decisions well within

the agencies' executive discretion, to ensure funds are appropriated to the correct fiscal agent, and to make certain that capital outlay monies are sufficient to fund corresponding public projects.

As I mentioned last year in House Executive Message No. 22, the capital outlay process mainly exists to fund intelligent investments into critical infrastructure, and relatively small projects should not be addressed by capital outlay funds. State and local governments have other means well within their capacities to fund these smaller projects. Accordingly, I have vetoed capital outlay appropriations under \$10,000. In some instances, other funding sources are available for vetoed projects. If those funds are insufficient for the vetoed projects and the need is dire, I encourage the legislative sponsors to contact me.

New Mexico individuals and families deserve that we do our best to allocate capital resources to projects that meet the needs of local communities and prioritize our most significant needs and common goals. Viewed as a whole, this legislation furthers those ends.

Accordingly, I this day SIGN and RETURN:

SENATE FINANCE COMMITTEE SUBSTITUTE FOR SENATE BILL 212, with emergency clause, which was enacted during the Fifty-Fifth Legislature, Second Session, 2022, except the following item or items, part or parts, which I hereby veto pursuant to the authority granted me in Article IV, Section 22 of the New Mexico Constitution:

On page 18, I have vetoed lines 19 through 22.

On page 34, I have vetoed lines 9 through 14.

On page 70, on line 14, I have vetoed the first comma “,” through the word “clocks”.

On page 80, I have vetoed line 25 and on page 81, I have vetoed lines 1 through 3.

On page 96, I have vetoed lines 4 through 7.

On page 113, on line 19, I have vetoed the words “for the economic development corporation”.

On page 124, I have vetoed lines 3 through 5.

On page 135, on line 12, I have vetoed the words “in city council district 1”.

On page 135, on line 16, I have vetoed the words “district 3”.

On page 142, on line 25, I have vetoed the words “including instruments,” and the word “costumes,” and on page 143, line 1, I have vetoed the words “indoor and outdoor tools,”.

On page 145, I have vetoed lines 7 through 9.

On page 147, on line 23, I have vetoed the words “throughout senate district 16”.

On page 155, I have vetoed lines 15 through 17.

On page 155, I have vetoed lines 18 through 21.

On page 156, I have vetoed lines 3 through 5.

On page 156, I have vetoed lines 9 through 11.

On page 165, I have vetoed lines 9 through 13.

On page 166, I have vetoed lines 14 through 17.

On page 169, I have vetoed lines 3 through 6.

On page 185, on line 4, I have vetoed the words “and uniforms”.

On page 185, I have vetoed lines 16 through 19.

On page 202, on line 22, I have vetoed the words “in county” and on line 23, I have vetoed the words “commission districts 1 and 4”.

On page 203, on line 10, I have vetoed the words “in county commission district 2”.

On page 203, on line 12, I have vetoed the words “in county” and on line 13, I have vetoed the words “commission district 4”.

On page 203, on line 16, I have vetoed the word “in” and on line 17, I have vetoed the words “county commission district 5”.

On page 203, on line 24, I have vetoed the words “in county commission district 2”.

On page 204, on line 6, I have vetoed the words “in county commission” and on line 7, I have vetoed the words “districts 1, 2, 4 and 5”.

On page 204, on line 14, I have vetoed the words “in county commission district 2”.

On page 204, on line 21, I have vetoed the words “in house district 14”.

On page 205, on line 2, I have vetoed the words “in house” and on line 3, I have vetoed the words “district 14”.

On page 205, on line 6, I have vetoed the words “in county” and on line 7, I have vetoed the words “commission district 2”.

On page 205, on line 19, I have vetoed the words “in house” and on line 20, I have vetoed the words “district 14”.

On page 206, on line 1, I have vetoed the words “in house district 14”.

On page 206, on line 7, I have vetoed the words “in house” and on line 8, I have vetoed the words “district 14”.

On page 206, on line 20, I have vetoed the word “for” and on line 21, I have vetoed the words “city council district 3”.

On page 206, on line 24, I have vetoed the words “in city council district 9”.

On page 209, I have vetoed lines 20 through 22.

On page 211, I have vetoed lines 4 through 7.

On page 218, on line 11, I have vetoed the words “in county commission” and on line 12, I have vetoed the words “district 1”.

On page 218, on line 15, I have vetoed the words “in county commission district 2”.

On page 218, on line 17, I have vetoed the words “in county commission” and on line 18, I have vetoed the words “district 3”.

On page 218, on line 20, I have vetoed the words “in county commission” and on line 21, I have vetoed the words “district 4”.

On page 218, on line 23, I have vetoed the words “in county commission” and on line 24, I have vetoed the words “district 5”.

On page 219, I have vetoed lines 23 through 25 and on page 220, I have vetoed line 1.

On page 220, I have vetoed lines 22 through 25 and on page 221, I have vetoed lines 1 through 2.

On page 223, I have vetoed lines 3 through 8.

On page 223, I have vetoed lines 21 through 24.

On page 223, I have vetoed line 25 and on page 224, I have vetoed lines 1 through 3.

On page 224, on line 5, I have vetoed the word “metal” and the words “at the rodeo” and on line 6, I have vetoed the word “facility”.

On page 224, I have vetoed lines 12 through 15, through the “;”, keeping the word “and”.

On page 226, I have vetoed lines 7 through 11.

On page 231, on line 11, I have vetoed the words “farm tools and portable bathrooms,”.

On page 232, on line 15, I have vetoed the words “plan, design, construct,”.

On page 235, I have vetoed lines 11 through 15.

Respectfully yours,

Michelle Lujan Grisham
Governor

RECEIVED FROM THE OFFICE OF THE GOVERNOR

Time: _____ a.m. p.m.

Date: _____ 2022

By _____
Secretary of State

Time: _____ a.m. p.m.

Date: _____ 2022

By _____
Chief Clerk of the House