

April 10, 2015

HOUSE EXECUTIVE MESSAGE NO. 24

The Honorable Don L. Tripp, Speaker of the House and
Members of the House of Representatives
State Capitol Building
Santa Fe, NM 87501

Honorable Speaker Tripp and Members of the House:

Pursuant to the Constitution of the State of New Mexico, Article IV, Section 22, I hereby VETO and return HOUSE BILL 254 enacted by the Fifty-Second Legislature, First Session, 2015.

Among several other things, House Bill 254 amends the Hazardous Duty Officers' Employer-Employee Relations Act (Act) to require employers to advise employees of their rights prior to interviewing an employee during the course of a disciplinary investigation. However, as a result of its passage, it would be unclear what advice needs to be provided during these types of disciplinary interviews.

Currently, if an employee is being investigated for criminal conduct, then they are afforded all the protections set forth in the United States and New Mexico Constitutions. In addition to these protections, there are employee protections provided under both federal and state law as well as any applicable collective bargaining agreements.

The existence of stable relations between firefighters, emergency medical technicians, and paramedics and their employers will enhance the employees' ability to perform duties that are often hazardous. The Act already provides safeguards for employees being investigated as a result of their conduct while establishing the framework which allows employers to properly investigate disciplinary actions. For these reasons, and others, I hereby veto House Bill 254.

Respectfully yours,

Susana Martinez
Governor

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Time: _____ a.m. p.m.

Date: _____, 2015

By _____
Secretary of State

Time: _____ a.m. p.m.

Date: _____, 2015

By _____
Chief Clerk of the House