

January 27, 2017

SENATE EXECUTIVE MESSAGE NO. 3

The Honorable Mary Kay Papen, President Pro Tempore and
Members of the New Mexico State Senate
State Capitol Building
Santa Fe, New Mexico 87501

Honorable President Pro Tempore Papen and Members of the Senate:

Pursuant to the Constitution of the State of New Mexico, Article IV, Section 22, I hereby VETO and return SENATE BILL 176, enacted by the Fifty-Third Legislature, First Session, 2017.

Despite repeatedly declaring that we're in a "constitutional budget crisis," the Senate and House Democrats continue to find ways to protect themselves and their budget – even as they have squeezed money out of other areas of government. SB 176 appropriates \$1.7 million more to the legislative branch this year than was spent during the last 60-day session in 2015.

This bill is a thinly veiled attempt to expand their funding while using our courts and aging community as cover. In fact, it expands the Legislature's budget by 23.5 percent from what was spent in 2015. They did this while asking all other agencies in government to sustain cuts, and at the same time chose to protect their pork projects, their massive cash balance reserves, and their personal retirement accounts. At a time when some legislators are talking about raising taxes on hard-working families, it is unacceptable to have one branch of government refusing to share the responsibility of reducing government spending. Rather than pass a responsible legislative funding bill that pays staff and keeps our legislature operating, the Senate and House Democrats chose to play political games and distract the public from a blatant attempt to expand their pot of taxpayer dollars.

As a former prosecutor, I am keenly aware of the needs of the New Mexico Judicial Branch. In fact, during my administration, we've increased the total judicial budget by more than \$38 million – a 16 percent increase. Furthermore, the Legislature has already provided a proper means to fund the court with a supplemental appropriation. House Bill 261, as introduced, provides sufficient money to the New Mexico Supreme Court, the Administrative Office of the Courts, and the Twelfth Judicial District Court to keep our judicial system operating. As is standard practice, supplemental appropriations for the courts can be included in the budget bill. There are also other sources of emergency funds.

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Still more cynical and disturbing is the attempt to use political games with the Aging and Long-Term Services Department. Pursuant to legislative action in the 2016 special session, the Aging and Long-Term Services Department reduced its budget. The inclusion of this appropriation was done absent any request for a supplemental from the department and is in direct contradiction of the Legislature's previous solvency measures.

I urge the Legislature to take up these issues based on their merits rather than their effectiveness in providing cover for their irresponsible spending.

I applaud the House of Representatives, the appropriating body, for passing a bipartisan bill that would have provided necessary funding for the Legislature while recognizing that, as a co-equal branch of government, it should also put some skin in the game. I encourage lawmakers to act on House Bill 1, a bill that was properly processed and would have provided for the operation of the Legislature.

Respectfully yours,

Susana Martinez
Governor

RECEIVED FROM THE OFFICE OF THE GOVERNOR

Time: _____ a.m. p.m.

Date: _____, 2017

By _____
Secretary of State

Time: _____ a.m. p.m.

Date: _____, 2017

By _____
Chief Clerk of the Senate