

March 6, 2024

SENATE EXECUTIVE MESSAGE NO. 73

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

President Pro Tempore Stewart and Members of the Senate:

I am pleased to sign SENATE FINANCE COMMITTEE SUBSTITUTE FOR SENATE BILL 275, as amended, with an emergency clause, with certificate of correction (“SB 275”), 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 \$1.5 billion in projects. A total of \$483 million in state agency capital projects are funded, including \$71 million for higher education institutions statewide, \$45 million for magistrate and district courts, \$44 million for statewide correctional department facilities, \$39 million for water projects, \$38.5 million for health and behavioral health facilities statewide, \$34 million for public safety, \$33 million for public school transportation, \$30 million for a new literacy center, \$20 million for state parks, \$15 million for electric vehicle infrastructure, \$10 million for a reforestation center, \$10 million for Mainstreet projects, \$5.3 million for early childhood education and tribal early childhood improvements, \$5 million for acequia improvements statewide, and \$3 million for a regional fire training academy and memorial. There is also \$570 million in Severance Tax Bonds in the bill, which consists of \$540 million for road improvements statewide and \$30 million to complete tribal projects.

This bill also funds \$523 million in local public body projects. This includes \$135 million for parks, recreation and beautification projects, \$80 million in water and wastewater projects, \$74 million for public schools and higher education institutions, \$53 million for highways, roads and bridges, \$42 million for local public buildings, \$41 million for law enforcement and public safety improvements, \$35 million for transportation projects, \$28 million for cultural facilities, \$17 million for health and behavioral facilities, and \$17 million for affordable and transitional housing.

In addition, House Bill 308 funds \$289 million, including \$230 million for higher education institutions, \$30 million for senior centers, \$19 million for libraries and \$10 million for radio communication.

While SB 275 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 \$557,000 in general fund projects. These vetoes total approximately .04% of the total amount of capital outlay provided for in SB 275.

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 SB 275. 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. 17, 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 275, as amended, with an emergency clause, with certificate of correction, which was enacted during the Fifty-Sixth Legislature, Second Session, 2024, 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 15, I have vetoed lines 16 through 20.

On page 21, line 6, I have vetoed the word "makerspace".

On page 23, line 17, I have vetoed the word and punctuation "plan," and on line 18, I have vetoed the words and punctuation "design, construct, furnish,".

On page 61, I have vetoed lines 5 through 8.

On page 108, I have vetoed lines 6 through 9.

On page 127, line 21, I have vetoed the words and punctuation “, for the South Valley economic”, and on line 22, I have vetoed the words “development center”.

On page 159, I have vetoed lines 3 through 6.

On page 174, line 8, I have vetoed the words “for the Artesia training academy”.

On page 184, line 3, I have vetoed the words and punctuation “, including self-contained”, and on line 4, I have vetoed the words and punctuation “breathing apparatus,”.

On page 192, line 14, I have vetoed the words “for a healing center in Shiprock”.

On page 200, I have vetoed lines 12 through 14.

On page 201, line 22, I have vetoed the words and punctuation “lighting and expansion of the baseball field,”

On page 210, line 2, I have vetoed the words “and install”, and I have vetoed the words “at the rodeo facility”.

On page 242, line 13, I have vetoed the word “renewable”, and on line 14, I have vetoed the word “energy”.

On page 245, line 13, I have vetoed the word and punctuation “plan,”, and on line 14, I have vetoed the words and punctuation “design, construct,”, and I have vetoed the word and punctuation “, furnish”.

On page 248, line 13, I have vetoed the words and punctuation “plan, design, construct, renovate, equip and”, and I have vetoed the word “a”. I have also vetoed all of line 14, and on line 15, I have vetoed the word “in”.

Respectfully yours,

Michelle Lujan Grisham
Governor

RECEIVED FROM THE OFFICE OF THE GOVERNOR

Time: _____ a.m. p.m.

Date: _____ 2024

By _____

Secretary of State

Time: _____ a.m. p.m.
Date: _____ 2024

By _____
Chief Clerk of the Senate