

April 10, 2015

SENATE EXECUTIVE MESSAGE NO. 21

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 JUDICIARY COMMITTEE SUBSTITUTE FOR SENATE CONSERVATION COMMITTEE SUBSTITUTE FOR SENATE BILL 94, as amended, enacted by the Fifty-Second Legislature, First Session, 2015.

Senate Bill 94 poses a number of problems as a result of the contradictions it would create between state and federal law. As just one example, federal law classifies tetrahydrocannabinol as a controlled substance where hemp products designed for human ingestion are concerned. Senate Bill 94 does not recognize this distinction. This and other conflicts between state and federal law would unnecessarily complicate the task of law enforcement and the state Department of Agriculture of regulating the production of hemp. And, given the similarities between growing hemp and marijuana, this legislation could also create serious challenges for law enforcement in investigating drug crimes.

Additionally, I am concerned by the inconsistent language used throughout this bill to describe the purposes for which industrial hemp may be cultivated. Some descriptions appear limited to research and development whereas others broadly include commercial production. Any permission to cultivate hemp for commercial purposes under this legislation would, of course, also be contrary to federal law.

Respectfully yours,

Susana Martinez
Governor

SENATE EXECUTIVE MESSAGE NO. 21

The Honorable Mary Kay Papen

April 10, 2015

Page 2

RECEIVED FROM THE OFFICE OF THE GOVERNOR

Time: _____ a.m. p.m.

Date: _____, 2015

By _____
Secretary of State

Time: _____ a.m. p.m.

Date: _____, 2015

By _____
Chief Clerk of the Senate