

April 11, 2025

HOUSE EXECUTIVE MESSAGE NO. 30

The Honorable Javier Martínez, Speaker of the House and
Members of the House of Representatives
State Capitol Building
Santa Fe, New Mexico 87501

Honorable Speaker Martínez and Members of the House:

In December, I submitted a budget that built on the continued achievements of my Administration over the past six years to improve the lives of all New Mexicans. My budget addressed pressing needs in healthcare, economic development, education, public safety, the environment, housing, and early childhood care and development. I am thankful to the Legislature for recognizing the importance of these ongoing initiatives and for prioritizing them in this year's budget, while maintaining reserves at a healthy thirty percent.

On February 27, I signed Senate Bill 1 into law, creating a behavioral health trust fund, and on April 8, I signed Senate Bill 88, which created a Medicaid trust fund. These trust funds use today's money for future healthcare needs, ensuring a guaranteed stream of revenue to support the health and well-being of New Mexicans. I also signed into law House Bill 71, increasing the yearly distribution to the Early Childhood Education and Care Department to a minimum of \$500 million. This sustained funding will help ensure that every child in New Mexico has access to high quality early childhood services. I also proudly signed into law three landmark bills that mark a turning point for New Mexico's water future: House Bill 137, which establishes the Strategic Water Supply; Senate Bill 21, which modernizes the Water Quality Act; and House Bill 212, which protects New Mexicans from harmful per- and polyfluoroalkyl substances (PFAS) chemicals.

Even with these impressive achievements, I have vetoed parts of the General Appropriations Act that impermissibly attempt to create substantive law, a practice that Article IV, Section 16 of the New Mexico Constitution precludes. Similarly, I have vetoed provisions of the Act that attempt to enact general policy by imposing, for example, reporting or other requirements that do not exist in substantive law. Such general policies are "better addressed by general legislation and [are] not suitable for inclusion in the general appropriation bill." *State ex rel. Coll v. Carruthers*, 1988-NMSC-057, ¶ 13, 107 N.M. 439, 759 P.2d 1380.

Finally, I have vetoed parts of the Act that impermissibly intrude into the executive managerial function. I object to provisions in the Act that unduly restrict appropriations to specified types of expenditures. These restrictions on agency functions exceed the Legislature's proper, constitutionally defined role, unduly constraining the Executive's ability to effectively administer programs to meet the State's needs, in violation of the distribution of powers established by Article III, Section 1 of the New Mexico Constitution. *See Coll*, 1988-NMSC-057, ¶¶ 11-36.

Accordingly, I this day SIGN and RETURN:

HOUSE APPROPRIATIONS AND FINANCE COMMITTEE SUBSTITUTE FOR HOUSE BILLS 2 AND 3, as amended with certification of correction, enacted during the Fifty-Seventh Legislature, First Session, 2025, except the following item or items, part or parts, which I hereby veto pursuant to the authority granted to me in Article IV, Section 22 of the New Mexico Constitution:

On page 92, I have vetoed the entirety of lines 9 through 15. The vetoed language appears to conflict with NMSA 1978, Section 36-1-8.2 (1993). The vetoed language inappropriately imposes requirements already codified in statute and in agency contracts.

On page 94, I have vetoed from the words "The Health Care Authority" on line 6 through the end of the line, and the word "legislature" on line 7. The vetoed language unreasonably infringes upon the executive managerial functions and may run afoul of federal regulations.

On page 130, line 21, I have vetoed from the word "any" through the end of the line, and I have vetoed all of lines 22 through 24. The vetoed language is unnecessary because unexpended balances in the Fire Protection Fund already revert to the general fund every year pursuant to NMSA 1978, Section 59A-53-5.2 (2021).

On page 141, beginning on line 3 I have vetoed the words from "The higher education department" through the end of the line, and I have vetoed all of lines 4 through 7. The vetoed language conflicts with the Opportunity Scholarship Act, as the act already requires this report and requires unexpended funds to revert to the Opportunity Scholarship Fund rather than the general fund.

On page 141, I have vetoed all of lines 8 through 12. The vetoed language inappropriately interferes with the executive managerial functions.

On page 142, I have vetoed line 5.

On page 179, line 6, I have vetoed the "n" from the word "an" and the word "average". The vetoed language prevents the agency from using the full appropriation to implement the legislative purpose.

On page 182, line 14, I have vetoed the "n" from the word "an" and the word "average". The vetoed language prevents the agency from using the full appropriation to implement the legislative purpose.

On page 183, I have vetoed all of lines 8 through 12. The vetoed language inappropriately interferes with the executive managerial functions.

On page 183, I have vetoed all of lines 16 through 20.

On page 184, I have vetoed lines 6 through 10. The vetoed language deviates from the standard process for agencies implementing audit and evaluation requirements.

On page 184, I have vetoed lines 11 through 14, as the contingency attached to this appropriation has failed.

On page 189, I have vetoed lines 10 through 13. The vetoed language inappropriately interferes with the executive managerial functions and statutory duties of another agency.

On page 190, line 3, I have vetoed from the beginning of the line through the comma. The vetoed language would prevent the timely implementation of the tax and Motor Vehicle Code changes.

On page 190, beginning on line 16 I have vetoed the words and punctuation “To the local government division” and “a direct-to-” and on line 17, I have vetoed from the comma before the word “with” to the end of the line, and on line 18, I have vetoed from the beginning of the line through the word “maintenance” and the words “an intensive focus on”.

On page 191, line 5, I have vetoed beginning with the comma after the word “needs” through the end of the line, all of lines 6 and 7 and on line 8, from the beginning of the line through “Dona Ana county”.

On page 191, line 17, I have vetoed the word “the” and the word “fund”. The vetoed language prevents the agency from using the full appropriation to implement the legislative purpose.

On page 191, beginning on line 20, I have vetoed the words “local governments,” and the words “and technical assistance”. On line 21, I have vetoed the word “providers”, and I have vetoed beginning with the comma after “2026” through the end of the line. On line 22, I have vetoed from the beginning of the line through the word “counties”. The vetoed language prevents the agency from using the full appropriation to implement the legislative purpose.

On page 192, I have vetoed from the second instance of the comma at the end of line 4, and all of line 5 and on line 6 from the beginning of the line through “Dona Ana county”. The vetoed language inappropriately interferes with the executive managerial functions.

On page 192, I have vetoed starting with the comma on line 10 through the end of the line, and on line 11, I have vetoed from the beginning of the line through the comma immediately following the words “military installations”. The vetoed language prevents the agency from using the full appropriation to implement the legislative purpose.

On page 197, I have vetoed all of lines 20 and 21. The vetoed language appears to violate Article IX, Section 14 of the New Mexico Constitution.

On page 197, beginning on line 25 I have vetoed beginning with “The department” through the end of the line, and on page 198, I have vetoed all of line 1.

On page 198, I have vetoed all of lines 12 through 15. The contingency attached to this appropriation has failed.

On page 201, line 5, I have vetoed from the comma after “2027” through the end of the line, and on line 6, I have vetoed from the beginning of the line through the comma after the words “canyon trail system”. The vetoed language appears to violate Article IX, Section 14 of the New Mexico Constitution.

On page 207, line 23, I have vetoed beginning with the comma after the word “statewide” through the end of the line, and on line 24, I have vetoed from the beginning of the line through the comma after “flood control near Hatch”. The vetoed language prevents the current appropriations from being spent.

On page 211, line 7, I have vetoed the words “in fiscal year”, and on line 8, I have vetoed “2025”. Also on line 8, I have vetoed from “Any expended balance” through the end of the line and all of line 9. The vetoed language inappropriately restricts the agency’s use of the funds.

On page 219, line 24, I have vetoed beginning with “for low-interest loans” through the end of the line, and on line 25, I have vetoed from the beginning of the line through “solid waste projects”. The vetoed language contradicts the statutory purpose for the fund outlined in NMSA 1978, Section 75-1-2.1 (2007).

On page 220, line 19, I have vetoed from the word “leverage” through the words “transitional housing”, and I have vetoed the comma at the end of the line. On line 20, I have vetoed from the beginning of the line through the word “services”. The vetoed language inappropriately restricts use of the funding.

On page 221, I have vetoed from the beginning of line 18 through the word “families”. The vetoed language inappropriately restricts use of the funding.

On page 222, line 7, I have vetoed from the words “and for grants” through the word “plans”, and on line 8, I have vetoed the words “and detention centers” to include the subsequent comma. On line 10, I have vetoed the words “covered by medicaid” and the word “the” at the end of the line, and on line 11, I have vetoed from the beginning of the line through the words “grants to counties”. The vetoed language unduly constrains the agency’s ability to use appropriated funds to address needs in both public and private correctional facilities.

On page 224, line 5, I have vetoed beginning with the comma after “2026” through the end of the line, I have vetoed all of lines 6 and 7, and on line 8, I have vetoed from the beginning of the line through the words “transportation district six”. The vetoed language prevents the agency from using the full appropriation to implement the legislative purpose.

On page 225, I have vetoed all of lines 10 through 14. The vetoed language inappropriately interferes with the executive managerial functions.

On page 228, I have vetoed the word “that” at the end of line 14, and on line 15, I have vetoed from the beginning of the line through the words “community service learning”. The vetoed language unreasonably constrains expenditure of the appropriation by creating a requirement inconsistent with state law.

On page 231, I have vetoed all of lines 6 through 8. The vetoed language appears to violate Article IX, Section 14 of the New Mexico Constitution.

On page 231, line 16, I have vetoed from the comma after “2026” through the end of the line, I have vetoed all of lines 17 and 18 and on line 19, I have vetoed from the beginning of the line through the words “for doctors”. The vetoed language inappropriately restricts use of the funding.

On page 232, line 2, I have vetoed beginning with the words “The higher education department” through the end of the line, and I have vetoed all of line 3. Existing funding for this legislative purpose has already been appropriated and remains unspent.

On page 232, line 17, I have vetoed beginning with the word “for” through “2026”.

On page 236, line 3, I have vetoed from the beginning of the line through the word “agriculture” and the words “to local governments”.

On page 236, line 7, I have vetoed the words “operational expenses to develop” and from the word “and” through the end of the line. On line 8, I have vetoed from the beginning of the line through the word “study”. The vetoed language inappropriately restricts use of the funding.

On page 236, line 24, I have vetoed the word “center”. The vetoed language inappropriately interferes with the executive managerial functions.

On page 237, I have vetoed all of lines 13 through 17. The language conflicts with Section 3, Item L of the 2025 General Appropriations Act, which provides for equal treatment of unused sick leave payout for employees of all branches of government consistent with existing law.

On page 251, line 5, I have vetoed the words “planning on”. The vetoed language inappropriately restricts use of the funding.

On page 251, line 15, I have vetoed the letter “n” in the word “an” and the word “average”. The vetoed language inappropriately restricts the agency’s use of the funds.

On page 252, line 15, I have vetoed the word “all”, and on line 15, I have vetoed from the word “attributable” through the end of the line. On page 252, line 16, I have vetoed the words “general fund”. The vetoed language prevents the agency from using the full appropriation to implement the legislative purpose.

On page 254, I have vetoed from the second instance of the word “the” on line 11 through the end of the line, all of lines 12 and 13, and on line 14 from the beginning of the line through the period. The vetoed language is unnecessary because the Legislature already has several opportunities throughout the year to monitor the progress of executive agencies.

On page 257, line 19, I have vetoed from the word “shall” through the end of the line, all of line 20, and from the beginning of line 21 through the word “department”. The vetoed language is unnecessary because the agency already provides staff recruitment and retention data to the Legislative Finance Committee (“LFC”).

On page 258, line 2, I have vetoed from the word “shall” through the end of the line, all of lines 3 and 4, and from the beginning of line 5 through the word “department”. The vetoed language is unnecessary because the agency already provides staff recruitment and retention data to the LFC.

On page 258, line 10, I have vetoed from the word “shall” through the end of the line, all of lines 11 and 12, and from the beginning of line 13 through the word “department”. The vetoed language is unnecessary because the agency is not required to provide documentation or reports detailing the number of data positions needed to the arbitrator.

On page 259, line 8, I have vetoed the second instance of the word “to”, and on line 9, I have vetoed from the beginning of the line through the word “trial”. The vetoed language inappropriately interferes with the executive managerial functions.

On page 259, line 15, I have vetoed from the word “to” through the end of the line, and on line 16, from the beginning of the line through the word “trial”. The vetoed language inappropriately interferes with the executive managerial functions.

On page 259, line 22, I have vetoed from the word “to” through the end of the line, and on line 23, from the beginning of the line through the word “study”. The vetoed language inappropriately interferes with the executive managerial functions.

On page 260, line 4, I have vetoed from the word “to” through the end of the line, and on line 5, from the beginning of the line through the word “trial”. The vetoed language inappropriately interferes with the executive managerial functions.

On page 260, line 12, I have vetoed the second instance of the word “to”, and on line 13, from the beginning of the line through the word “trial”. The vetoed language inappropriately interferes with the executive managerial functions.

On page 260, line 18, I have vetoed from the word “in” through the word “committee”. On line 20, I have vetoed from the third instance of the word “the” through the end of the line, and I have vetoed all of lines 21 and 22. The vetoed language inappropriately interferes with the executive managerial functions.

On page 261, line 7, I have vetoed from the second instance of the word “the” through the end of the line, all of lines 8 and 9, and from the beginning of line 10 through the period. The vetoed language is unnecessary because the Legislature already has several opportunities throughout the year to monitor the progress of executive agencies.

On page 262, I have vetoed all of lines 14 through 16. The vetoed language creates a recurring program with nonrecurring funding.

On page 264, line 15, I have vetoed from the word “shall” through the end of the line, all of line 16, and from the beginning of line 17 through the word “department”. The vetoed language is unnecessary because the agency already provides staff recruitment and retention data to the LFC.

On page 264, line 23, I have vetoed from the word “shall” through the end of the line, and I have vetoed lines 24 and 25. On page 265, line 1, I have vetoed from the beginning of the line through the word “department”. The vetoed language is unnecessary because the agency already provides staff recruitment and retention data to the LFC.

On page 265, line 6, I have vetoed from the word “shall” through the end of the line, all of lines 7 and 8, and on from the beginning of line 9 through the word “department”. The vetoed language is unnecessary because the agency is not required to provide documentation or reports detailing the number of data positions needed to the arbitrator.

On page 266, line 4, I have vetoed the second instance of the word “to” and, on line 5, from the beginning of the line through the word “trial”. The vetoed language inappropriately interferes with the executive managerial functions.

On page 266, line 11, I have vetoed from the word “to” through the end of the line and on line 12 from the beginning of the line through the word “trial”. The vetoed language inappropriately interferes with the executive managerial functions.

On page 266, line 18, I have vetoed the word “to” through the end of the line and on line 19 from the beginning of the line through the word “study”. The vetoed language inappropriately interferes with the executive managerial functions.

On page 266, line 25, I have vetoed from the word “to” to the end of the line. On page 267, line 1, I have vetoed from the beginning of the line through the word “trial”. The vetoed language inappropriately interferes with the executive managerial functions.

On page 267, line 8, I have vetoed the second instance of the word “to”, and on line 9, I have vetoed from the beginning of the line through the word “trial”. The vetoed language inappropriately interferes with the executive managerial functions.

On page 267, line 14, I have vetoed from the word “in” through the word “committee,” and on line 16, I have vetoed from the third instance of the word “the” through the end of the line and all of lines 17 and 18. The vetoed language inappropriately interferes with the executive managerial functions.

On page 267, line 24, I have vetoed from the second instance of the word “the” through the end of the line, and all of line 25. On page 268, I have vetoed all of line 1 and from the beginning of line 2 through the period. The vetoed language is unnecessary because the Legislature already has several opportunities throughout the year to monitor the progress of executive agencies.

On page 270, line 13, I have vetoed the second instance of the word “to” and on line 14, I have vetoed from the beginning of the line through the word “trial”. The vetoed language inappropriately interferes with the executive managerial functions.

On page 270, line 20, I have vetoed from the word “to” through the end of the line and on line 21, I have vetoed from the beginning of the line through the word “trial”. The vetoed language inappropriately interferes with the executive managerial functions.

On page 271, line 2, I have vetoed from the word “to” through the end of the line, and on line 3, I have vetoed from the beginning of the line through the word “study”. The vetoed language inappropriately interferes with the executive managerial functions.

On page 271, line 9, I have vetoed from the word “to” through the end of the line, and on line 10, I have vetoed from the beginning of the line through the word “trial”. The vetoed language inappropriately interferes with the executive managerial functions.

On page 271, line 17, I have vetoed the second instance of the word “to” and on line 18, I have vetoed from the beginning of the line through the word “trial”. The vetoed language inappropriately interferes with the executive managerial functions.

On page 271, line 23, I have vetoed from the word “in” through the word “committee”, and on line 25, I have vetoed from the third instance of the word “the” through the end of the line. On page 272, I have vetoed lines 1 and 2. The vetoed language inappropriately interferes with the executive managerial functions.

On page 275, I have vetoed all of lines 16 through 20. The contingency attached to this appropriation has failed.

On page 276, line 6, I have vetoed from the word “in” through the end of the line, and on line 7, I have vetoed “2026”. The vetoed language inappropriately limits expenditures to fiscal year 2026, which conflicts with House Bill 137’s non-reverting fund for appropriations to support the strategic water supply program.

On page 277, line 2, I have vetoed from the word “including” through the end of the line, all of line 3, and from the beginning of line 4 through the word “departures”. The vetoed language inappropriately interferes with the executive managerial functions.

On page 279, I have vetoed lines 1 through 3. The vetoed language inappropriately interferes with the executive managerial functions.

On page 282, I have vetoed lines 15 through 17. The vetoed language conflicts with the statutory requirements of the Local Economic Development Fund.

On page 287, I have vetoed lines 17 through 19.

Respectfully yours,

Michelle Lujan Grisham
Governor

RECEIVED FROM THE OFFICE OF THE GOVERNOR

Time: _____ a.m. p.m.

Date: _____ 2025

By _____
Secretary of State

Time: _____ a.m. p.m.

Date: _____ 2025

By _____
Chief Clerk of the House