

April 5, 2001

**SENATE EXECUTIVE MESSAGE NO. 39**

The Honorable Richard Romero and  
Members of the Senate  
Executive-Legislative Building  
Santa Fe, New Mexico 87503

Honorable President and Members of the Senate:

I have this day SIGNED SENATE FINANCE COMMITTEE SUBSTITUTE FOR SENATE BILL 167, as amended, emergency clause, enacted by the Forty-Fifth Legislature, First Session, 2001, but pursuant to Article IV Section 22 of the New Mexico Constitution, I have vetoed the following item or items, part or parts:

On page 12, line 8, after the word “cycle” I have vetoed the remainder of the line, all of line 9 and

The proposed language would have earmarked \$50 million per year in fiscal years 2002 and 2003 for allocation solely for school districts that are eligible for federal assistance, the so-called “impact aid” districts. The veto would leave this earmarking at \$20 million per year. \$20 million per year is a sufficient earmarking for this purpose. The Public School Capital Outlay Council has guidelines in place to insure that funds are allocated to the most important projects in the neediest districts. The Council may indeed decide to spend \$50 million on the impact aid districts. The decision to do so is properly left to the Council.

On page 21, I have vetoed all of sub-section C.

This section would modify the Public School Capital Improvement Act to require that all districts in the state that impose a local levy would receive a distribution from the State. This Act is designed to provide a guaranteed minimum level of funding from the State for those districts that cannot generate sufficient funds from their own property tax levies. It is inconsistent with the goals of the Act to require that funds be distributed to every district regardless of the amount generated by their own levies.

On page 30, I have vetoed all of sub-section E.

This section appropriates \$20,000 to the legislative council service for expenses incurred by the public school capital outlay task force. The council service already has large enough balances to cover these expenses without the additional appropriation.

Sincerely,

Gary E. Johnson  
Governor

RECEIVED FROM THE OFFICE OF THE GOVERNOR:

Time: \_\_\_\_\_

Date \_\_\_\_\_

Time: \_\_\_\_\_

Date \_\_\_\_\_

By: \_\_\_\_\_  
Secretary of State

By: \_\_\_\_\_  
Chief Clerk of the Senate  
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