April 10, 2009

SENATE EXECUTIVE MESSAGE NO. 38

The Honorable Timothy Z. Jennings, President Pro Tempore and Members of the New Mexico State Senate State Capitol Building Santa Fe, NM 87501

Dear President Pro Tempore Jennings 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 21, as amended, which was enacted during the Forty-Ninth Legislature, First Session, 2009.

Senate Bill 21 has the laudable goal of coordinating state resources and focusing attention on myriad challenges facing Hispanics in New Mexico. I wholeheartedly agree there remains a need to increase access to quality, affordable health care, close the achievement gap in our schools and help more New Mexico families climb out of poverty.

In fact, we have made great strides in all of those areas during my tenure. As Governor, I have worked hard to create a prosperous, high-wage economy. All of my decisions have been geared toward creating opportunities for all New Mexicans, representing all racial, ethnic and socioeconomic groups, to succeed.

However, the Legislature passed a bill creating a Cabinet-level Hispanic Affairs Department, but did not include any money to fund the department. I cannot support a significant expansion of state government, as this bill proposes, without the funding to implement the changes. It would be irresponsible for a chief executive to take this action, particularly during one of the most severe economic recessions in history.

Supporters of this legislation suggest that I sign the bill and put the framework for the department in place while funding is considered in future legislative sessions. However, the legislation is very specific in that it outlines steps that must be taken should I sign the bill into law. Without funding, there is no practical way to comply with the provisions in the bill. I will not ignore the law and put the state in legal jeopardy if I sign this legislation.

That said, after meeting with New Mexico Hispanic leaders, I accept the premise that, despite the sizeable Hispanic population in the state, Hispanics continue to lag behind in educational progress, access to health care and wage parity.

Accordingly, I will work with Hispanic leaders to create a Hispanic Affairs Office that will be charged with advocacy and data collection on behalf of New Mexico's Hispanic population. I am already working with legislative leaders to get commitments to create this office during the next special legislative session, and to properly fund it.

In the meantime, I will appoint a special advisor of Hispanic Affairs in the Governor's Office. That person will be charged to develop a proposal for a suitable Office of Hispanic Affairs, along with specific, strategic goals and duties for that office.

I will also create by Executive Order an advisory Hispanic Affairs Council, made up of leaders in the Hispanic community to advise my office on the structure and duties of the new office.

Accordingly, signature of this bill is not appropriate at this time.

Respectfully yo	ours,		
Bill Richardson Governor	1		
RECEIVED FR	ROM THE OFFICE	OF THE G	OVERNOR:
Time: Date:	a.m./p.m.	by:	
			Chief Clerk of the Senate
Time: Date:	a.m./p.m. 2009	by:	
			Secretary of State