

March 10, 2010

SENATE EXECUTIVE MESSAGE NO. 100

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

Dear President Pro Tempore Jennings and Members of the Senate:

Today I am signing Senate Bill 182 which will provide \$141 million in General Fund for the FY10 budget and the general fund reserves by voiding stalled capital projects. These funds are essential for maintaining critical services for the most vulnerable New Mexicans. These funds are also crucial for sound fiscal management and for the ability of the state to respond to revenue fluctuations during these unstable economic times.

I believe it is necessary and fiscally prudent to sign this legislation. The bill will de-authorize appropriations for more than 2,500 capital outlay projects that have lingered on the books for too long. Many of these appropriations are more than four years old or have unspent balances. Although these de-authorized projects may otherwise have merit, it is our duty to ensure that taxpayer money is used efficiently and effectively and we cannot continue to carry forward these appropriations for projects that are not creating jobs, are not providing critical infrastructure and are tying up scarce financial resources.

I have vetoed all of Section 21 of the bill which would have established an exemption process for appropriations that meet certain criteria because it is ambiguous and redundant. Adequate review of project status was completed as a result of legislation from the 2009 Special Session (Laws 2009, Chapter 5, 1st SS; HB 17); the implementation of the "capital freeze" process; and the thorough review of project status by the Legislature, through its staff and its committees. Additionally, other provisions in Senate Bill 182 are sufficient to ensure all valid expenditures are reimbursed and valid binding written commitments are honored.

I have also taken steps through line item veto authority to protect projects that have recently secured federal or state matching funds, projects that are fully funded and shovel-ready, and projects that have demonstrated significant progress. Finally, I have vetoed provisions that would have reverted four appropriations that are reauthorized in House Bill 5 of the 2010 Special Session. These actions were taken in consideration of the overall need for solvency in the current year.

I have this day SIGNED:

SENATE FINANCE COMMITTEE SUBSTITUTE FOR SENATE BILL 182, as amended, without emergency clause, which was enacted during the Forty-Ninth Legislature, Second Session, 2010, 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 Constitution of New Mexico:

On page 1, on line 20, beginning with the word “and” I have vetoed through the second comma.

On page 2, I have vetoed all of lines 6 through 13.

On page 3, I have vetoed all of lines 23 through 25, and on page 4, I have vetoed all of line 1.

On page 4, I have vetoed all of lines 17 through 22.

On page 5, I have vetoed all of lines 7 through 10.

On page 16, I have vetoed all of lines 13 through 16.

On page 21, I have vetoed all of lines 1 through 3.

On page 21, I have vetoed all of lines 20 through 22.

On page 27, I have vetoed all of lines 7 through 11.

On page 33, I have vetoed all of lines 11 through 15.

On page 36, I have vetoed all of lines 5 through 7.

On page 47, I have vetoed all of lines 16 through 19.

On page 50, I have vetoed all of lines 16 through 18.

On page 52, I have vetoed all of lines 13 through 15.

On page 60, on line 7, I have vetoed the word “and” and I have vetoed all of lines 8 through 11.

On page 71, on line 1, beginning with the word “and” I have vetoed through the second comma.

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On page 73, I have vetoed all of lines 9 through 16.

On page 73, I have vetoed all of lines 22 through 25.

On page 74, I have vetoed all of line 25, and on page 75, I have vetoed all of lines 1 through 4.

On page 76, I have vetoed all of lines 17 through 19.

On page 78, on line 15, beginning with the word “and” I have vetoed through the comma.

On page 79, I have vetoed all of lines 22 through 24.

On page 102, I have vetoed all of lines 3 through 5.

On page 103, I have vetoed all of lines 6 through 13.

On page 120, I have vetoed all of lines 18 through 20.

On page 123, I have vetoed all of lines 23 through 25, and on page 124, I have vetoed all of line 1.

On page 133, I have vetoed all of lines 7 through 14.

On page 134, I have vetoed all of lines 6 through 8.

On page 139, on line 21, beginning with the word “and” I have vetoed through the comma.

On page 141, I have vetoed all of lines 5 through 13.

On page 141, on line 22, I have vetoed the word “and”, I have vetoed all of lines 23 through 25, and on page 142, I have vetoed all of line 1.

On page 142, I have vetoed all of lines 3 through 6.

On page 142, I have vetoed all of lines 22 through 25.

On page 144, I have vetoed all of lines 3 through 5.

On page 144, I have vetoed all of lines 19 through 21.

On page 145, I have vetoed all of lines 17 through 19.

On page 146, I have vetoed all of lines 10 through 18.

On page 148, I have vetoed all of lines 3 through 8.

On page 148, I have vetoed all of lines 22 through 25, and on page 149, I have vetoed all of line 1.

On page 149, I have vetoed all of lines 18 through 21.

On page 150, I have vetoed all of lines 9 through 13.

On page 150, I have vetoed all of line 25, and on page 151, I have vetoed all of lines 1 through 3.

On page 155, I have vetoed all of lines 3 through 8.

On page 155, I have vetoed all of lines 13 through 15.

On page 156, I have vetoed all of lines 3 through 9, and I have vetoed line 10 through the semicolon.

On page 157, on line 2, I have vetoed the words “and except as”, and on line 3, I have vetoed through the comma.

On page 158, I have vetoed all of lines 8 through 12.

On page 162, I have vetoed all of lines 17 through 21.

On page 164, I have vetoed all of lines 22 and 23, and on line 24, I have vetoed through the semicolon.

On page 166, I have vetoed all of lines 8 through 10.

On page 175, I have vetoed all of lines 13 through 17.

On page 176, I have vetoed all of lines 23 through 25, and on page 177, I have vetoed all of lines 1 through 21.

On page 180, I have vetoed all of lines 12 through 14.

On page 190, on line 23, I have vetoed the word “and”, and on line 24, I have vetoed through the comma.

On page 193, I have vetoed all of lines 23 through 25, and on page 194, I have vetoed all of lines 1 through 12.

On page 195, I have vetoed all of lines 22 through 25, and on page 196, I have vetoed all of lines 1 through 10.

On page 196, I have vetoed all of lines 23 through 25.

On page 197, I have vetoed all of lines 10 through 13.

On page 199, I have vetoed all of lines 2 through 4.

On page 199, I have vetoed all of lines 8 through 10.

On page 200, I have vetoed all of lines 5 through 9.

On page 200, I have vetoed all of lines 16 through 25, and on page 201, I have vetoed all of lines 1 through 2.

On page 201, on line 23, I have vetoed the word “and”, I have vetoed all of lines 24 and 25, and on page 202, I have vetoed all of lines 1 through 4.

On page 204, on line 19, beginning with the word “and” I have vetoed the remainder of the line and on line 20, I have vetoed through the comma.

On page 206, on line 16, beginning with the word “and” I have vetoed the remainder of the line and on line 17, I have vetoed through the comma.

On page 208, on line 9, beginning with the word “and” I have vetoed the remainder of the line and on line 10, I have vetoed through the comma.

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