

March 19, 2009

SENATE EXECUTIVE MESSAGE NO. 12

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 167, as amended, which was enacted during the Forty-Ninth Legislature, First Session, 2009.

A hallmark of my Administration has been support for and acknowledgment of the importance of Pre-Kindergarten education. As such, the two Executive agencies charged with the responsible administration of these programs, the Public Education Department ("PED") and the Children, Youth and Families Department ("CYFD"), have purposefully and strategically established processes that in practice and effect, appropriately support these important programs. Senate Bill 167, if enacted, would take from both the Executive and future Legislatures the discretion necessary to make funding determinations based on need, prioritization, and targeted achievement goals.

Finally, and most importantly, I veto Senate Bill 167 because it intrudes on the executive function. As introduced, the bill would unnecessarily restrict the Executive agencies charged with administration of these important programs. Certainly, State agencies must retain a measure of flexibility and discretion in order to adequately fulfill the constitutional powers vested in the Executive branch, namely to take care that the laws of this State are faithfully executed.

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

Respectfully yours,

Bill Richardson  
Governor

RECEIVED FROM THE OFFICE OF THE GOVERNOR:

Time: \_\_\_\_\_ a.m./p.m.

Date: \_\_\_\_\_ 2009

by:

\_\_\_\_\_  
Chief Clerk of the Senate

Time: \_\_\_\_\_ a.m./p.m.

Date: \_\_\_\_\_ 2009

by:

\_\_\_\_\_  
Secretary of State