

September 2, 2008

SENATE EXECUTIVE MESSAGE NO. 6

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

Dear President Pro Tempore Jennings and Members of the Senate:

I have this day SIGNED:

SENATE FLOOR SUBSTITUTE FOR SENATE BILL 22, as amended, with certificate of correction enacted by the Forty-Eighth Legislature, Second Special Session, 2008, and 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, line 20, I have vetoed the word “direct”.

On page 1, I have vetoed the semicolon on line 22, I have vetoed all of line 23 and I have vetoed through the word “programs” on line 24.

The Legislature in this bill has appropriated \$2.5 million to the Human Services Department for behavioral health services to individuals through age eighteen with behavioral health care needs in Medicaid or the State Children’s Health Insurance Program. The language accompanying the appropriation attempts to (1) limit the Executive to the use of funds for direct behavioral health services and (2) prohibit any expenditure of this appropriation on administrative costs. By restricting the expenditure of funds in this manner, the Legislature has attempted to intrude on the Executive branch’s authority to manage behavioral health services, in contravention of the principle of separation of powers integral to the Constitution of the State of New Mexico.

Respectfully yours,

Bill Richardson
Governor

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RECEIVED FROM THE OFFICE OF THE GOVERNOR:

Time: _____ a.m. /p.m. By: _____
Date: _____ 2008 Chief Clerk of the Senate

Time: _____ a.m. /p.m. By: _____
Date: _____ 2008 Secretary of State