

## **H 584 JUDICIAL PROCEEDINGS**

March 6, 1996

### **HOUSE EXECUTIVE MESSAGE NO. 142**

I have this day **VETOED** and am returning **HOUSE BILL 584, as amended**, passed by the Forty-Second Legislature, Second Session, 1996.

This bill imposes an answer fee of \$25 on non-indigent defendants in civil actions in district, magistrate and metropolitan courts. It establishes the civil legal services fund to be administered by the Administrative Office of the Courts. First, this bill is vetoed because the level of federal funding for low-income civil legal services has not yet been determined. Equally important are my concerns that the fee is placed on all defendants throughout the court system.

Such a matter should not be passed onto defendants in civil lawsuits who are not users in the context of a "user fee" but rather are often victims of litigation in which they have no choice but to participate. To our knowledge, at this time, only six other states impose an answer fee. I encourage the legal community to carefully look at this situation pursuant to Article 6 of the *Rules of Professional Conduct for New Mexico Attorneys*.

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## **H 616 PUBLIC EMPLOYEES GROUP INSURANCE**

March 4, 1996

### **HOUSE EXECUTIVE MESSAGE NO. 105**

I have this day **VETOED HOUSE BILL 616**, passed by the Forty-Second Legislature, Second Session, 1996.

This legislation allows school districts and institutions of higher education to contribute up to one hundred percent of the cost of group term life, medical, or disability insurance for employees and officers. This bill would allow different school districts and institutions to pay different amounts, not less than the existing percentages but up to one hundred percent of the cost of insurance premiums. The Public School Insurance Authority estimates costs to school districts will increase as much as \$27 million per year if all districts pay one hundred percent of the premiums. As stated by the Public School Insurance Authority, allowing a school district to pay one hundred percent of insurance premiums for employees would lead to significant costs to the state.

Additionally, not allowing individuals the opportunity to contribute to their own health care plan would dilute the importance of the personal responsibility which is associated with using such a benefit.

## **H 730 PUBLIC BUILDINGS FUNDING**

March 5, 1996

### **HOUSE EXECUTIVE MESSAGE NO. 123**

I have this day **VETOED** and am returning **HOUSE BILL 730, as amended**, passed by the Forty-Second Legislature, Second Session, 1996.

Among other provisions, this bill would transfer \$2 million from the capitol buildings repair fund to the New Mexico Finance Authority to repay the bonds issued to renovate the State Library Building. I have vetoed this bill because this action constitutes a raid on this fund -- the primary funding source for renovations and emergency repairs for all state buildings in Santa Fe. Further, analysis indicates that current needs more than double the availability of the fund.

## **H 737 COST OF LAW ENFORCEMENT ON TRIBAL LANDS**

March 5, 1996

### **HOUSE EXECUTIVE MESSAGE NO. 111**

I have this day **VETOED** and am returning **HOUSE BILL 737, with emergency clause**, passed by the Forty-Second Legislature, Second Session, 1996.

This bill would impose a \$2 intergovernmental enforcement fee to be collected from persons convicted of Motor Vehicle Code violations or of violating any ordinance punishable by imprisonment. The fees would be credited to the intergovernmental law enforcement fund and divided among the Indian police agencies. I have vetoed this bill because there is a lack of hard evidence of a problem which this bill would address. Further, assuming the problem can be evidenced, there does not appear to be a logical connection between the fee imposed and the financial problem associated with tribal law enforcement.