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2011 APR -1 PM 5:08

State of New Mexico OFFICE OF  
SECRETARY OF STATE

Susana Martinez  
Governor

April 1, 2011

SENATE EXECUTIVE MESSAGE NO. 25

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:

Pursuant to the Constitution of the State of New Mexico, Article IV, Section 22, I have this day VETOED and am returning SENATE BILL 449, enacted by the Fiftieth Legislature, First Session, 2011.

This bill subjects the superintendent of New Mexico's Regulation and Licensing Department to Senate confirmation.

Currently, the State's superintendent of Regulation and Licensing is appointed by the governor. Since the New Mexico Constitution expressly provides for the operation of three distinct branches of government, a change to the superintendent's appointment process is unwarranted without justification.

Furthermore, the Senate failed to schedule hearings for several appointments already subject to Senate confirmation process. This includes multiple cabinet-level appointments, the Spaceport Authority, the Transportation Commission, State Personnel Board, among others. Given the Senate's failure to address these appointments in a timely manner, it seems unjustified to increase the body's responsibility.

Respectfully yours,

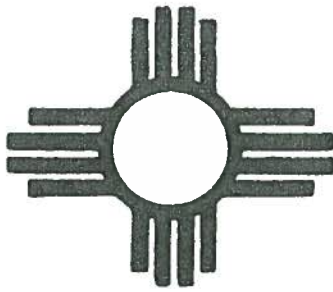
Susana Martinez  
Governor

SENATE EXECUTIVE MESSAGE NO. 25  
The Honorable Timothy Z. Jennings  
April 1, 2011  
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RECEIVED FROM THE OFFICE OF THE GOVERNOR

Time: 5:08 a.m. p.m.  
Date: 4/1 2011 By Larry Dominguez  
for Secretary of State

Time: \_\_\_\_\_ a.m. p.m.  
Date: \_\_\_\_\_ 2011 By \_\_\_\_\_  
Chief Clerk of the Senate



The Legislature  
of the  
State of New Mexico

50th Legislature, 1st Session

LAWS 2011

CHAPTER \_\_\_\_\_

SENATE BILL 449

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Introduced by

SENATOR LINDA M. LOPEZ

**VETOED**



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AN ACT

RELATING TO APPOINTMENTS; PROVIDING THAT THE GUBERNATORIAL  
APPOINTMENT OF THE SUPERINTENDENT OF REGULATION AND LICENSING  
SHALL BE WITH THE ADVICE AND CONSENT OF THE SENATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 9-16-5 NMSA 1978 (being Laws 1983,  
Chapter 297, Section 21) is amended to read:

"9-16-5. SUPERINTENDENT OF REGULATION AND LICENSING--  
APPOINTMENT.--The chief executive and administrative officer  
of the department is the "superintendent of regulation and  
licensing". The superintendent shall be appointed by the  
governor, with the advice and consent of the senate, and shall  
hold office at the pleasure of the governor."

SB 449  
Page 1

STAMPED AND SIGNED  
JAN 10 1983 10 11 33  
LEGISLATION

s/John A. Sanchez  
John A. Sanchez, President  
Senate

s/Lenore M. Naranjo  
Lenore M. Naranjo, Chief Clerk  
Senate

s/Ben Lujan  
Ben Lujan, Speaker  
House of Representatives

s/Stephen R. Arias  
Stephen R. Arias, Chief Clerk  
House of Representatives

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2011

s/Governor Susana Martinez  
Governor Susana Martinez  
State of New Mexico